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Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO PRESIDENT OF COMMODITY CREDIT CORPORATION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the President of Commodity Credit Corporation, or such employees of Commodity Credit Corporation as may be designated by him, the authority to approve all applications for priority assistance and to recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by Commodity Credit Corporation, whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and, otherwise, to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3642; Filed, March 8, 1943;
11:50 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine (Agricultural Research Administration)

[B. E. P. Q. 526]

PART 301—DOMESTIC QUARANTINE NOTICES MEXICAN FRUITFLY REGULATIONS MODIFIED; HARVESTING SEASON EXTENDED

§ 301.64-5d *Administrative instructions modifying the restrictions of the Mexican fruitfly quarantine by extending the harvesting season on oranges and grapefruit.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.64, Chapter III, Title 7, Code of Federal

Regulations [Notice of Quarantine No. 64], it having been determined by me that a modification may be safely made without increasing the risk of spread of the Mexican fruitfly, § 301.64-5 (a) [paragraph (a) of regulation 5 supplemental to this quarantine] is hereby modified effective March 1, 1943, to extend the harvesting season for oranges and grapefruit for the Texas counties of Brooks, Cameron, Hidalgo, and Willacy, and that part of Jim Wells County under regulation, to the close of May 31 for the year 1943, *Provided*, That sterilization of the fruit as a condition of interstate movement from the above counties may be required as provided in § 301.64-4 (e) (paragraph (e) of Regulation 4).

The host-free period for oranges and grapefruit, under this modification, will begin June 1 and continue through August 31, 1943, inclusive in the above-named counties.

The harvesting season normally closes, under the regulations, on April 30, except that in the counties of Dimmit, La Salle, and Webb, the grapefruit harvest season closes on the last day of February, and no extension is made as to that season in these three counties.

(7 CFR § 301.64-5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Effective March 1, 1943.

Done at Washington, D. C. this 27th day of February 1943.

[SEAL]

P. N. ANNAND,
Chief.

[F. R. Doc. 43-3606; Filed, March 6, 1943;
3:52 p. m.]

Chapter IX—Food Distribution Administration¹

PART 900—GENERAL REGULATIONS UNDER THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

RULES OF PRACTICE AND PROCEDURE GOVERNING PROCEEDINGS TO FORMULATE MARKETING AGREEMENTS AND MARKETING ORDERS

By virtue of the authority vested in the Secretary of Agriculture by Public

¹ Formerly Chapter IX, Agricultural Marketing Administration.

(Continued on p. 2815)

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Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), the following amendments to Title 7, Chapter IX, Part 900, Code of Federal Regulations, as published in the FEDERAL REGISTER on December 20, 1941 (6 F.R. 6570 *et seq.*), as amended (7 F.R. 3350), are hereby promulgated:

1. Section 900.2 (e) and (f) are amended to read as follows:

§ 900.2 Definitions. * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

2. Section 900.51 (e) and (f) are amended to read as follows:

§ 900.51 Definitions. * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

3. Section 900.101 (e) and (f) are amended to read as follows:

§ 900.101 Definitions. * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

4. Section 900.200 (e) and (f) are amended to read as follows:

§ 900.200 Definitions. * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

5. The regulations in this part are further amended in that wherever the word "Administrator" appears there shall be substituted in lieu thereof the word "Director."

6. Section 900.12 is amended to read as follows:

§ 900.12 Director's report—(a) Preparation. As soon as practicable follow-

ing the termination of the period allowed for the filing of written arguments or briefs, the Director shall cause to be prepared for his signature and shall file with the hearing clerk a report. Such a report shall be prepared by the personnel of the Administration through which such marketing agreement or marketing order, or both, if executed or issued, would be administered.

(b) *Contents.* The Director's report shall include: (1) a preliminary statement containing a description of the history of the proceedings, a brief explanation of the major issues developed at the hearing, and proposed conclusions with respect to such issues; and (2) a proposed marketing agreement or marketing order, as the case may be, based upon the evidence introduced at the hearing, if it is concluded that such an agreement or order should be proposed.

(c) *Exceptions.* If, after examination of the report which has been prepared for his signature, the Director is of the opinion that the marketing agreement or marketing order proposed in said report differs substantially from the marketing agreement or marketing order upon which the hearing was held, and that the execution or issuance of the proposed marketing agreement or marketing order, or both, as the case may be, will give rise to a substantial controversy (by virtue of the variance between the proposed marketing agreement or marketing order and the marketing agreement or marketing order upon which the hearing was held) between the Department and the persons who will become subject to such agreement or order, notice of the Director's report and opportunity to file exceptions thereto shall be given. If the Director determines that such opportunity be given, he shall, immediately following the filing of his report with the hearing clerk, give notice thereof (together with notice of the date fixed by the Director for the filing of exceptions thereto) in the same manner as hereinbefore provided in § 900.4 (relating to the giving of notice of the hearing). Within a period of time (to be fixed by the Director, but not to exceed 20 days) after the filing of the report with the hearing clerk, any interested person may then file exceptions to the Director's proposed marketing agreement or marketing order, or both, as the case may be, and a brief in support of such exceptions. Any such person shall transmit his exceptions, in writing, to the hearing clerk, referring, where practicable, to the related pages of the transcript and suggesting appropriate changes in the proposed marketing agreement or marketing order.

7. Section 900.13 is amended to read as follows:

§ 900.13 Submission to Secretary. The hearing clerk, immediately following the filing of the Director's report, shall transmit to the Secretary the record of the proceedings. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the transcript of testimony taken at the hearing, together with the exhibits filed therein; any written ar-

guments or briefs that may have been filed in connection with the hearing; and the Director's report: *Provided, however,* That if the Director provides that opportunity be given to file exceptions to his proposed marketing agreement or marketing order, as provided in § 900.12 (c), he shall, immediately following the termination of the period for the filing of exceptions to the Director's proposed marketing agreement or marketing order, cause to be prepared (by the personnel of the appropriate division of the Administration) for his signature, and shall file with the hearing clerk such revision of the Director's report as he shall deem to be appropriate in view of the exceptions. Promptly upon the filing of the revision of the Director's report or upon notification by the Director that no revision will be made, the hearing clerk shall transmit to the Secretary the record of the proceedings. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein; any written arguments or briefs that may have been filed in connection with the hearing; the Director's report; such exceptions and briefs in support thereof as may have been filed pursuant to § 900.12 (c); a statement containing an analysis of such exceptions filed; and the Director's revised report, if any revision is made.

8. Section 900.69 (d) is amended to read as follows:

§ 900.69 * * *

(d) *Effective date of filing.* Any document or paper, except a petition filed pursuant to § 900.52, required or authorized under these rules to be filed shall be deemed to have been filed when it is postmarked, or when it is received by the hearing clerk. Any petition filed under § 900.52 shall be deemed to be filed when it is received by the hearing clerk.

Done at Washington, D. C. this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved:

FRANKLIN D. ROOSEVELT,
The President of the United States.

THE WHITE HOUSE, March 4, 1943.

[F. R. Doc. 43-3604; Filed, March 6, 1943; 3:32 p. m.]

Chapter X—Food Production Administration

[Food Production Order 3, Amendment 5]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Changes are made in §§ 1202.217, 1202.224, and 1202.228 of Food Production Order 3.

* 7 F.R. 9647; 8 F.R. 946, 1089.

Section 1202.217 is amended by deleting therefrom subparagraph (4) of paragraph (b).

Section 1202.224 is amended by deleting the last sentence in paragraph (a) thereof. Paragraph (a) is thereby amended to read as follows:

§ 1202.224 *Form of certificate.* (a) In cases where the county farm rationing committee authorizes an applicant to purchase Schedule I equipment, it shall immediately issue to the applicant a purchase certificate for the transfer of such Schedule I equipment. The certificate shall be issued on Form MR-22. All purchase certificates shall be non-transferable. Such certificates, which shall be prepared in triplicate, shall be numbered serially; all numbers shall be accounted for; and the serial number of each certificate shall be placed upon the appropriate application. The original and one copy of the certificate shall be given or mailed to the applicant and the remaining copy shall be attached to the application. Each purchase certificate shall show the date of its issuance and expiration, or any extension thereof.

Section 1202.228 is amended to read as follows:

§ 1202.228 *Action by dealer.* (a) Upon the surrender to him of a purchase certificate and copy thereof, the dealer shall ascertain that the original and copy have been properly signed by the purchaser and shall not honor such certificate unless it and the copy are so signed. Immediately upon delivering Schedule I equipment pursuant to a purchase certificate surrendered to him, the dealer shall sign and date the certificate and copy thereof in the space provided and shall thereupon mail the original of such purchase certificate to the issuing county farm rationing committee or the issuing State board. If delivery of the Schedule I equipment specified in any such purchase certificate is not made before the expiration date specified on such purchase certificate, the dealer shall, immediately following such expiration date, return the original and the copy of such purchase certificate to the issuing county farm rationing committee or the issuing State board.

§ 1202.243 *Effective dates of amendments.* * * *

(e) This Amendment No. 5 (§§ 1202.217, 1202.224, and 1202.228) to Food Production Order No. 3 shall become effective this 9th day of March 1943.

Done at Washington, D. C. this 6th day of March, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3569; Filed, March 6, 1943; 11:59 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Regulation 1]

PART 1595—FOOD PRIORITIES

FOOD PRIORITIES

Pursuant to the authority vested in me by Executive Order No. 9280, dated De-

cember 5, 1942, and in order to supply war and other acute emergency needs, It is hereby ordered as follows:

§ 1595.1 *Food priorities.*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity and includes the States or any subdivisions thereof and the United States and any department, agency, or instrumentality thereof.

(2) The term "food" means all commodities and products, simple, mixed, or compound, or complements to such products, that are or may be eaten or drunk by either humans or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form for immediate human or animal consumption, and including all starches, sugars, vegetable and animal fats and oils.

(3) The term "emergency order" means:

(i) Any contract or purchase order for food to be delivered to the Army, Navy, Coast Guard, or Marine Corps of the United States; to any person feeding, under contract (directly or indirectly), personnel of the Army, Navy, Coast Guard, or Marine Corps of the United States (to the extent necessary to feed such personnel); to the United States Maritime Commission; and to the War Shipping Administration; or for food to be delivered, under a contract or purchase order placed by an agency of the United States, to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That any contract or purchase order of the foregoing for food

(a) Which is the subject of any ration order issued by the Office of Price Administration, or

(b) Which is the subject of any food order issued by the Secretary of Agriculture requiring quantities of food to be set aside for delivery to any of the agencies or persons named in this paragraph (a) (3) (i), shall not be an emergency order under this paragraph (a) (3) (i); or

(ii) Any contract or purchase order for food to which the Director assigns a priority rating under this regulation.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Assignment of priority ratings.* The Director may assign priority ratings to contracts, purchase orders, or deliveries concerning food by means of priority rating certificates or at his discretion, by other means. Such ratings may be assigned to deliveries under accepted contracts or purchase orders and also to purchase orders which have not been placed or accepted at the time application is made for such rating. The Direc-

tor may also issue specific orders as to particular deliveries without assigning ratings thereto, and such orders shall take precedence over all priority ratings issued hereunder.

(c) *Certain emergency orders rated FR-10.* Every emergency order as defined in paragraph (a) (3) (i) hereof is hereby assigned a priority rating of FR-10. This automatic assignment of priority ratings does not apply to contracts or purchase orders for foods which are the subject of ration orders issued by the Office of Price Administration or orders issued by the Secretary of Agriculture requiring food to be set aside for delivery to the Government agencies or persons named in paragraph (a) (3) (i). However, priority ratings may be assigned by the Director to contracts or purchase orders for such food under paragraph (b) hereof.

(d) *Duration of priority ratings.* Unless an emergency order, other than an order rated FR-10 under paragraph (c) hereof, is placed with or delivered to a person for acceptance within 15 days following the date of issuance of such rating or within such other period of time as may be specified by the Director, on the food priority rating certificate or otherwise, such rating shall expire and be without force and effect. All priority ratings may be revoked at any time by the Director.

(e) *Extension of priority ratings.* (1) Priority ratings assigned to contracts or purchase orders of or deliveries to an agency or person named in paragraph (a) (3) (i) hereof, may be extended to the suppliers or sub-suppliers of any person required to deliver pursuant to such emergency orders to the extent authorized by the contracting officer of such agency or person, such authorization to be given in writing. Priority ratings assigned to other contracts, purchase orders, or deliveries may not be extended to any suppliers or sub-suppliers unless the Director specifically authorizes such extension.

(2) Any person authorized to extend priority ratings may do so:

(i) On the written contract or purchase order by endorsing on or attaching to each contract or purchase order placed by him to which the rating is to be extended a certification in substantially the form provided in Appendix A hereof, signed by an official duly authorized for such purpose; and

(ii) On a purchase order placed by telegraph, by including in the telegram a certification substantially as follows:

Ratings indicated are certified pursuant to Food Distribution Regulation No. 1,

and a copy of such telegram signed by a duly authorized official shall, in every case, be furnished to the addressee thereof.

(3) The person receiving the certification and rating shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Each person extending a rating or filling an order bearing an extended rating shall maintain at his regular place of business all the records prescribed in paragraph (n) hereof.

(4) Unless the person authorized to extend a priority rating places his order

to which such rating is extended, or delivers such order to a person for acceptance, within fifteen days following the date upon which such extension is authorized or within such other period of time as may be specified by the Director or the contracting officer of an agency or person named in paragraph (a) (3) (i), hereof, such extended rating shall expire and be without force and effect.

(5) No person shall duplicate in whole or in part purchase orders which he has placed with one or more suppliers for delivery of food to which he has extended a rating in such manner that the amount of the food ordered exceeds the amount to which he is authorized to extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(6) No priority rating may be extended to any material other than food.

(f) *Sequence of priority ratings.* Priority ratings under this regulation shall be referred to and designated as Food Priority Ratings and shall have the following order of precedence: FR-1, FR-2, FR-3, FR-4, FR-5, FR-6, FR-7, FR-8, FR-9, FR-10.

(g) *Set aside quantities of food.* Unless specifically authorized by the Director, no person shall fill any emergency order by delivering the set aside portion of any food required by any order of the Secretary of Agriculture to be set aside, except to the agency or agencies named in the order requiring the food to be set aside.

(h) *Compulsory acceptance of emergency orders.* Emergency orders must be accepted and filled in preference to any other contracts or purchase orders for food, except that such order need not be accepted:

(1) If delivery on schedule thereunder would be impossible by reason of the requirements of previously accepted orders bearing higher or equal priority ratings, unless acceptance is specifically required by the Director;

(2) If the person seeking to place such orders is unwilling or unable to meet regularly established prices and terms of sale or payment; however, there shall be no discrimination against such orders in establishing such prices or terms; or

(3) If the food ordered is of a kind which is not usually sold by the person to whom such order is offered and which is not capable of being produced by such person without substantial alteration of, or addition to, such person's facilities, unless such person has a supply of such food in sufficient quantity to fill such order.

(i) *Sequence of deliveries.* (1) Every delivery under an emergency order shall be made in preference to deliveries under all other contracts or purchase orders whenever and to the extent necessary to meet the delivery schedule provided in the food priority rating certificate covering such delivery. Deliveries bearing no priority rating or lower priority ratings shall be deferred to the extent necessary to assure those deliveries bearing higher priority ratings, even though such deferment may cause defaults un-

der other contracts or purchase orders. Each person who has emergency orders on hand must so schedule his production and deliveries that deliveries thereunder will be made on the dates required, giving precedence in the case of unavoidable delay to deliveries bearing the higher rating.

(2) The sequence of deliveries under emergency orders bearing the same priority rating shall be determined by the respective dates on which the emergency orders are placed, the emergency order placed first in point of time having precedence over other emergency orders. If emergency orders bearing the same priority rating are placed on the same day and it is impossible to deliver all the quantities specified on schedule, the sequence of deliveries shall be determined by the delivery dates specified in the respective priority rating certificate by which priority ratings were assigned to such orders.

(j) *Rejected orders and deferred deliveries.* When an emergency order has been rejected in violation of this regulation or when deliveries under emergency orders have been unreasonably or improperly deferred, the person seeking to place such order or the person entitled to delivery may file with the Director a report, setting forth the facts in connection with the rejection or the deferment. The Director may thereupon take such action as he deems appropriate, including the imposition of penalties as provided in paragraph (r) hereof.

(k) *Allocations.* When specific allocations of a food are made by the Secretary of Agriculture or the Director by allocation orders, such allocations shall, unless otherwise provided by the Secretary or Director (as the case may be), be made without regard to any priority ratings which have been assigned to deliveries under particular contracts or purchase orders and shall prevail over any such priority ratings.

(l) *Use of food obtained under priority rating.* Any person who obtains a delivery of any food by a priority rating or pursuant to an order of the Director must use such food for the purpose for which it was obtained. If it cannot be used for such purpose for any reason, such person shall redeliver the food to the person who originally delivered it to him. If and to the extent that such person is not able to use or dispose of such food, he shall file with the Director a report describing the same so that such food can be redistributed.

(m) *Existing contracts.* The requirements of this regulation shall be observed without regard to existing contracts or any rights accrued or payment made thereunder.

(n) *Records and reports.* Every person participating in a transaction involving food to which any priority rating issued hereunder applies shall keep and preserve accurate records sufficient to show the following details concerning all transactions (priority and nonpriority) in such food: (1) a copy of contracts or purchase orders and invoices or sales slips, (2) the dates on which all purchase orders were accepted or re-

jected, (3) the delivery dates requested and the dates of actual delivery, (4) a description of the food involved, (5) a record of delivery by classes, types, quantities, and values, (6) the names of parties involved in each transaction, (7) the priority rating, if any, assigned or extended to the purchase order or contract, (8) the names of persons, if any, to whom the priority rating is extended and the quantity of food received under each extension, (9) the priority rating certificate, if any, (10) and such other information as may be required by the Director. The records required above may be kept by preserving the usual business papers and records insofar as they provide the information required. If the emergency order is accepted and delivered on time, the above records need cover only the period between the acceptance of the order and delivery and must be preserved for a period of two years. If the emergency order is rejected or delivery is deferred, the required records must cover the period beginning with the receipt of the order and ending two months after the rejection or deferment, and must be preserved for a period of two years. Each person also shall execute and file reports and submit other information requested by the Director within the time period specified by him. (This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(o) *Audits and inspections.* All books, records, and accounts of any person participating in any transaction to which any priority rating issued hereunder applies, shall, upon request, be submitted to audit and inspection by the Director.

(p) *Illegal use of priority rating.* No person shall claim or assert any priority rating for any contract or purchase order unless such contract or order is rated under paragraphs (b), (c), or (s) hereof.

(q) *Petition for relief from hardship.* Any person affected by this regulation who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(r) *Violations.* Any person who wilfully violates any provision of this regulation or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this regulation or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, may be deprived of priorities assistance, and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(s) *Priorities regulations of the War Production Board superseded.* This regulation supersedes all priorities regulations of the War Production Board in so far as such priorities regulations apply to food except that as to preference ratings heretofore assigned to contracts or orders or as to violations of said priorities regulations or rights accrued, liabilities incurred, or appeals taken under any of said priorities regulations prior to the effective date hereof, such priorities regulations shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. All preference ratings for food under the War Production Board priorities regulations not heretofore placed with any person shall expire and be without force and effect 15 days after the effective date of this regulation.

(t) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this regulation shall, unless otherwise directed, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FDR-1.

(u) *Territorial scope.* The provisions of this regulation shall apply to all persons in the United States, its territories and possessions, and the District of Columbia.

(v) *Effective date.* This regulation shall be effective March 6, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March, 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX A—FORMS

1. Any contract or purchase order bearing a priority rating of FR-10, conferred by paragraph (c) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (c)) may contain substantially the following language:

This purchase order (contract) carries an automatic priority rating of FR-10 under the terms of paragraph (c) of Food Distribution Regulation No. 1. That regulation requires that this purchase order (contract) be given priority in acceptance and delivery over other purchase orders or contracts without priority ratings.

2. Any contract or purchase order to which a priority rating is issued by the Director under paragraph (b) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (b)) may contain substantially the following language:

This purchase order (contract) bears a priority rating of FR— under authorization No. _____ issued to _____ by the Director of Food Distribution. Delivery on this order (contract) must be made in accordance with the provisions of Food Distribution Regulation No. 1. The purchaser certifies that this order is within the quantity authorized and that the authorization does not expire until _____.

3. The person authorized by this regulation to permit extensions of priority ratings issued under paragraph (e) of Food Distribution

Regulation No. 1 (7 C.F.R. § 1595.1 (e)) may do so by the use of substantially the following language:

This priority rating of FR— may be extended to any _____ to the extent necessary to obtain food to fill this order (contract), in accordance with the provisions of Food Distribution Regulation No. 1. This authorization of extension shall expire _____.

4. Any person using an extended priority rating under paragraph (e) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (e)) on any written contract or purchase order shall attach substantially the following certificate:

CERTIFICATE

The undersigned purchaser hereby represents to the seller and to the Secretary of Agriculture that he is entitled to extend the priority rating indicated opposite the item shown on this purchase order (contract) and that such extension is in accordance with Food Distribution Regulation No. 1, with the terms of which the undersigned is familiar and has been duly authorized according to the provisions of such regulation.

Name

Address

By _____
Duly authorized officer

Date _____

[F. R. Doc. 43-3505; Filed, March 6, 1943;
3:32 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MARKING OF SHIPPING CONTAINERS BY CONTRACTORS

Sections 81.363 and 81.1106a are hereby added as follows:

§ 81.363 *Marking of shipping containers.* Each supply contract will contain substantially the following provision (see § 81.1106a):

Marking of shipping containers. The contractor will follow any directions set forth in the contract specifications concerning the marking of containers in which the supplies are to be shipped. If the contract specifications contain no such directions, the contractor will follow such instructions on the matter as he may from time to time receive from the contracting officer.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup 601-622) [Services of Supply Memorandum No. S5-43-43, February 23, 1943]

§ 81.1106a *Marking of containers—(a) Limitations on marking of containers.* The following regulations for the marking of all boxes, crates, and

other containers to be used in making deliveries to War Department agencies are prescribed:

(1) Markings showing contents, quantity, cubage and weight will be stenciled or printed on the container on the upper two-thirds of one surface; except that in the case of containers of ten or more cubic feet, such markings may be made on the upper two-thirds of two surfaces.

(2) All contract data markings will be limited to a maximum area of 42 square inches and will be placed on one surface of the container; except that in the case of containers of ten or more cubic feet, such markings may be made on two surfaces of the container.

(3) Service color and overseas markings will be placed on containers when required and as directed by the chief of the supply service concerned.

(4) On less-than-carload shipments, the name and address of both consignor and consignee will be placed on one or two surfaces of the container in an area not to exceed 28 square inches. This information may be placed with the contract data markings either in adjoining spaces or on the same label.

(5) Markings or labels required by law, governmental regulations (for example, or inflammables, explosives, etc.), or by carrier tariff, and additional markings required by the various supply services will be placed on one surface. This surface will, if practicable, be the surface containing the contract data markings.

(6) The markings on boxes, crates, and other containers will be limited so far as practicable to the markings referred to in subparagraphs (1) through (5) above.

(7) All markings other than those referred to in subparagraph (5) above will be confined to two surfaces of the box, crate, or container. The markings referred to in subparagraph (5) will also be placed on the same two surfaces if practicable, but may if necessary be placed on a third surface.

(b) *Overseas markings.* The one-third of a surface which is not used (see paragraph (a) (1) of this section) will be reserved for overseas markings.

(c) *Irregular containers.* Markings on barrels, drums, and other containers which are not rectangular in shape will be applied in such a manner as to carry out so far as practicable the intent of the instructions contained in paragraph (a) of this section.

(d) *Trade names, brands, and other advertising matter.* Trade names, brands and other advertising matter will be limited to the area or the label containing the contract data.

(e) *Marking by contractors.* The supply services will provide either in the contract specifications or by instructions to contracting officers for the marking by contractors of containers in conformance with the principles set forth in the

preceding paragraphs. (See § 81.363.) (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622.) [Services of Supply Memorandum No. S5-43-43, February 23, 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3553; Filed, March 6, 1943;
9:56 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUP- PLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

Correction

In the document appearing on page 2531 of the issue for Tuesday, March 2, 1943, the paragraph following the introductory language under "Miscellaneous Prohibitions" should read as follows:

"§ 81.111 *Conflicts between outside interests of officers or civilian employees and their official duties* * * *

The effective date in the second paragraph of § 81.920 on page 2537 should read "January 16, 1943."

Reference to § 81.796m in the second paragraph of the introductory language under "Wage and Salary Stabilization" on page 2538 should be to § 81.976m. In § 81.976a on page 2538, paragraph (d) of the quoted § 4001.1 should read as follows:

(d) The term "code" means the Internal Revenue Code, as amended and supplemented.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 263]

DELTA AIR CORPORATION

WAIVER OF CERTAIN REQUIREMENTS

Waiver of the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to Delta Air Corporation.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of March 1943.

Having had under consideration the regular use of the new Monroe Airport near Monroe, Louisiana, in scheduled air transportation, the Board finds that:

1. A new airport has been constructed on the site of the Selman Airport, Monroe, Louisiana, which is adequate for regular use by aircraft operated in scheduled air transportation, being located in level terrain and having 3 unobstructed runways, the shortest of which is 5000 feet;

2. First pilots serving in air transportation for Delta Air Corporation on routes touching Monroe, Louisiana, have had an opportunity to become familiar with the new Monroe Airport through constant examination from the air so that compliance with the provisions of the Civil Air Regulation requiring the first pilot to have landed at least once at such airport may not be required in the interest of safety if the familiarity of the first pilot with the new Monroe Airport is sufficiently demonstrated as herein-after provided:

Now, therefore, It is ordered, That: Any first pilot listed in the Delta Air Corporation's Airman Operations Specifications on February 28, 1943, who is qualified as competent to operate an aircraft in scheduled air transportation between Atlanta, Georgia, and Fort Worth, Texas, on February 28, 1943, may pilot aircraft in scheduled transportation for said carrier into and out of the new Monroe Airport, Monroe, Louisiana, upon furnishing evidence satisfactory to a representative of the Administrator of the pilot's thorough familiarity with the form and condition of the airport and with the location and nature of any obstructions in the vicinity.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3629; Filed, March 8, 1943;
10:37 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATION, SECURITIES EXCHANGE ACT OF 1934

REPORTS TO BE MADE BY CERTAIN EXCHANGE MEMBERS, BROKERS AND DEALERS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 17 and 23 (a) thereof, hereby amends paragraph (c) of sec. 240.17A-5 [Rule X-17A-5] (7 F.R. 9917, 10918) to read as follows:

§ 240.17A-5 *Reports to be made by certain exchange members, brokers and dealers.* * * *

(c) *Use of certain statements filed with the Securities and Exchange Commission, State commissions and National Securities Exchanges.* (1) Any member, broker, or dealer who is subject to the provisions of paragraph (a) hereof may file in lieu of the report required by that

paragraph a copy of any financial statement which he is, or has been, required to file with any national securities exchange of which he is a member, or with any agency of any State as a condition of doing business in securities therein, *Provided*, That (i) the copy so included reflects his financial condition as of a date not more than forty-five (45) days prior to the filing thereof with the Commission; and (ii) the report, as filed with this Commission, meets the requirements of this rule and Form X-17A-5 and contains the information called for by that form.

(2) At the request of any member, broker, or dealer who is (i) an investment company registered under the Investment Company Act of 1940, or (ii) a sponsor or depositor of such a registered investment company who effects transactions in securities only with, or on behalf of, such registered investment company, the Commission will accept any statement of his financial condition filed pursuant to sections 13 or 15 (d) of the Securities Exchange Act of 1934 or section 30 of the Investment Company Act of 1940 and the rules and regulations promulgated thereunder as a filing pursuant to this rule. Such a filing shall be deemed to satisfy the requirements of this rule for any calendar year in which such a financial statement is filed, *Provided*, That the statement as filed meets the requirements of the other rules under which it is filed with respect to time of filing and content.

Effective March 5, 1943.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3552; Filed, March 5, 1943;
4:31 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 22—TRADING WITH THE ENEMY

TRANSPORTATION OF ENEMY ALIENS ON AMERICAN VESSELS AND AIRCRAFT

Pursuant to section 3 (b) of the Trading-with-the-enemy Act of October 6, 1917 (40 Stat. 412; 50 U.S.C., App., 3b) and section XXVII of Executive Order 2729-A, of October 12, 1917, the following regulations relating to the transportation of subjects or citizens of an enemy nation or an ally-of-an-enemy nation by American vessels or by American aircraft are hereby issued by the Secretary of State and all previous regulations inconsistent therewith are revoked.

Sec.

- | | |
|------|---|
| 22.1 | Definitions. |
| 22.2 | General license for transportation. |
| 22.3 | Reservation of power to withdraw the general license. |
| 22.4 | Travel without license prohibited. |
| 22.5 | Issuance of licenses by diplomatic and consular officers. |

- Sec.
 22.6 Advance notice regarding persons who have applied for passage.
 22.7 Provisions regarding stateless persons and persons who may have dual nationality.
 22.8 Applications for required licenses not covered by General License No. 1.
 22.9 Temporary suspension of permit to enter the United States.
 22.10 Requests to American agencies not to carry persons whose carriage would endanger the rights and interests of the United States.
 22.11 Licenses granted not to include permission to travel over or through the Panama Canal Zone.

AUTHORITY: § 22.1 to 22.11, inclusive, issued under 40 Stat. 412; 50 U.S.C., App. 3b, E.O. 7279-A.

§ 22.1 *Definitions.* For the purpose of these regulations:

(a) The term "United States" shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

(b) The term "person" shall be deemed to mean any citizen of the United States, whether within the United States or within any foreign country; any person within the United States; any individual, or any partnership, association, corporation, or other organization which is organized under the laws of the United States, or which has its principal place of business within the United States, or which is owned or controlled, directly or indirectly, by one or more persons subject to the jurisdiction of the United States; or any agent, subsidiary, affiliate, or other person owned or controlled, directly or indirectly, by any person subject to the jurisdiction of the United States.

(c) The term "enemy" shall be deemed to mean:

(1) Any individual or any partnership or other body of individuals, of any nationality, resident within the territory of any nation with which the United States is at war (including that occupied by the military and naval forces thereof) or resident outside of the United States and doing business within such territory, or any corporation incorporated within such territory of any nation with which the United States is at war or incorporated within any country other than the United States and doing business within such territory.

(2) The government of any nation with which the United States is at war, or any political or municipal subdivision thereof, or any officer, official, agent, or agency thereof.

(3) Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, wherever resident or wherever doing business, as the President may designate by proclamation, if he deems that the safety of

the United States or the successful prosecution of the war shall so require.

(d) The term "ally of an enemy" shall be deemed to mean:

(1) Any individual or any partnership or other body of individuals, of any nationality, resident within the territory of any nation which is an ally of a nation with which the United States is at war (including that occupied by the military and naval forces thereof) or resident outside of the United States and doing business within such territory, or any corporation incorporated within such territory of such allied nation, or incorporated within any country other than the United States and doing business within such territory.

(2) The government of any nation which is an ally of a nation with which the United States is at war, or any political or municipal subdivision of such allied nation, or any officer, official, agent, or agency thereof.

(3) Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation which is an ally of a nation with which the United States is at war, wherever resident or wherever doing business, as the President may designate by proclamation, if he deems that the safety of the United States or the successful prosecution of the war shall so require.

§ 22.2 *General license for transportation.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading-with-the-enemy Act:

(a) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, from any point within the United States to any point outside of the United States: *Provided*, That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of title 22 of the Code of Federal Regulations (6 F.R. 5927) from the necessity of obtaining a permit to depart: *Provided further, however*, That if such citizen or subject has obtained a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or to the destination specified therein.

(b) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, who has a valid permit to enter the United States issued on or after December 7, 1941 or who is exempted under § 58.44 or § 58.45 of title 22 of the Code of Federal Regulations (6 F.R. 5930) from the necessity of obtaining a permit to enter: *Provided*, That

such transportation shall be from a point outside of the United States to a point within the United States in the ordinary course of the alien's journey and shall not include travel over or through the Panama Canal Zone, or over or through any restricted military or naval area, unless permission to travel through the Panama Canal Zone or other such restricted area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy nation, or ally-of-an-enemy nation, whose transportation has been authorized by the Attorney General or the Secretary of War under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), and rules and regulations issued thereunder.

§ 22.3 *Reservation of power to withdraw the general license.* A general license issued under § 22.2 may be withdrawn with respect to the carriage of any citizen or subject of an enemy nation or ally-of-an-enemy nation, or any class thereof, by order of the Secretary of State; and nothing in these regulations shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to or from the United States.

§ 22.4 *Travel without license prohibited.* Unless a license has been granted by or on behalf of the Secretary of State, no American transportation company, firm, corporation, concern, person, or individual shall transport by water, land, or air, from any point outside of the United States to any other point, any person who is a citizen or subject of a nation with which the United States is at war, or a citizen or subject of any nation allied with a nation with which the United States is at war, or any national included in the Proclaimed List.¹

§ 22.5 *Issuance of licenses by diplomatic and consular officers.* Diplomatic and consular officers in independent countries of the Western Hemisphere may, without reference to the Department of State, issue licenses for transportation to persons who are residents of the country to which they are accredited and who are subject to the restrictions of the Trading-with-the-enemy Act, for travel within that country, only if they are satisfied that the travel of that person is not prejudicial to the interests of the United States.

§ 22.6 *Advance notice regarding persons who have applied for passage.* Each American transportation company,

¹ Proclaimed List of Certain Blocked Nationals, promulgated pursuant to Proclamation 2497 of July 17, 1941, and revised and supplemented from time to time (22 CFR, ch. III).

firm, corporation, concern, person, or individual shall, unless it is not deemed feasible, submit in advance to the appropriate diplomatic mission or consulate a list of persons who have applied for passage from any point outside of the United States to any other point. The diplomatic mission will determine whether such lists should be submitted and, if so, whether they should be submitted to the mission or to a consulate, adopting appropriate measures to avoid duplication. If submission of such a list is not deemed feasible, some other procedure should be adopted to insure that the mission or consulate will be informed in advance of all requests for passage by aliens. The Department of State is to be informed of the procedure adopted.

§ 22.7 *Provisions regarding stateless persons and persons who may have dual nationality.* (a) Care should be exercised in determining for licensing purposes the status of persons claiming to be stateless. All aliens 14 years of age or older, who at the present time are stateless but who at the time they became stateless were citizens or subjects of Germany, Italy, Japan, Hungary, Rumania, or Bulgaria, or who were citizens or subjects of an ally of these countries, shall be considered, for licensing purposes under the Trading-with-the-enemy Act, as being enemy nationals or ally-of-enemy nationals.

(b) Care should also be exercised in determining, for licensing purposes, the nationality of persons who may have dual nationality.

§ 22.8 *Applications for required licenses not covered by General License No. 1.* In a case which is not covered by General License No. 1 of July 8, 1942 (7 F.R. 5368) but one in which a license for travel is nevertheless required, the transportation agency will execute the application for license on form ET-1, copy of which is obtainable from the Secretary of State. This form may be transmitted by the transportation agency to the diplomatic or consular officer at the intended originating transportation point, for transmission to the Department of State; or it may be transmitted by the transportation agency direct to the Department. Such applications, with the exception of those covering travel from one point in an independent country of the Western Hemisphere to another point in the same country, outlined in § 22.5 hereof, will be considered by the Department before a license is granted. The diplomatic or consular officer at the intended originating transportation point will be notified of the Department's decision. If a license is granted by the Department, the diplomatic or consular officer, if he believes

the circumstances warrant, may temporarily suspend the license and immediately forward a full report to the Department.

§ 22.9 *Temporary suspension of permit to enter the United States.* In the case of an enemy national or ally-of-enemy national, where an advisory approval has been given for the issuance of a permit to enter the United States and where the diplomatic or consular officer issuing such permit knows or has reason to believe that the transportation of such alien by an American transportation line would be prejudicial to the interests of the United States, a full report shall be forwarded to the Department of State and issuance of the permit to enter shall be held in abeyance; or the permit, if previously issued, shall be taken up and held for possible cancellation, as the Secretary of State may decide to withdraw the applicability of General License No. 1 to such case in accordance with § 22.3 of these regulations.

§ 22.10 *Requests to American agencies not to carry persons whose carriage would endanger the rights and interests of the United States.* In the case of a person who is not on the Proclaimed List, or a person who is not an enemy national or an ally-of-enemy national, a request may be made by the diplomatic or consular officer to American agencies not to carry such person if it appears that his carriage would endanger the rights and interests of the United States or if, after reasonable investigation, it is concluded that he is a member of any party, organization, association, society, union, club, clique, or faction which engages in subversive political activities or in the dissemination of propaganda advocating the establishment in an American republic of a form of government not in conformity with the form of government existing under the constitution of such republic, or which attempts to extend to any country of the Western Hemisphere any political system contrary to that now existing in such country. Any attempt on the part of such party, organization, association, society, union, club, clique, or faction to extend its system to any portion of this hemisphere should be considered as dangerous to the peace and safety of the United States and prejudicial to the defense of the Western Hemisphere. The Department of State should be informed of such cases as soon as they arise.

§ 22.11 *Licenses granted not to include permission to travel over or through the Panama Canal Zone.* Licenses granted under the regulations in

this part will not include permission to travel over or through the Panama Canal Zone or over or through any other restricted military or naval area. Either the transportation agency or the alien concerned must procure such permission from the appropriate military or naval authorities.

SUMNER WELLES,
Acting Secretary of State.

MARCH 5, 1943.

[F. R. Doc. 43-3507; Filed, March 5, 1943;
12:21 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1835]

PART 334—MINIMUM PRICE SCHEDULES, DISTRICT No. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of the No. 2 Mine of the Greenwood Coal Company.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the No. 2 Mine, Mine Index No. 623, of the Greenwood Coal Company, in Sub-district 5 of District No. 14, for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group															
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Fateley, J. O. (Wyattside Coal Company).....	780	Wyattside.....	3	Bever, Mo.....	CB&Q.....	II	A	A	A	A	C	C	C	C	C	A	C	A	A	A	A	A
Lovell Coal Co. (C. L. Dale).....	1190	Lovell.....	3	Moberly, Mo.....	Wab.....	III	A	A	A	A	C	C	C	C	C	A	C	A	A	A	A	A
Perkins, A. G. (Sandiego).....	1285	Sandiego.....	3	Moberly, Mo.....	Wab.....	III	A	A	A	A	C	C	C	C	C	A	C	A	A	A	A	A

Previously classified as truck mine. A is Market Area list price as listed in Price Schedule No. 2. C, minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 General prices in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine index No.	Mine	Product group No.	County	$\frac{3}{4}$ " lump															
					$\frac{3}{4}$ " up	$10' \times 1\frac{1}{2}"$	$10' \times 1\frac{3}{4}"$	$3' \times 2'$	$3' \times 1\frac{1}{2}"$	$2' \times 1\frac{1}{2}"$	$1\frac{1}{2}" \times 1'$	Mine run	$3' \times 0$	$1\frac{1}{2}" \times 3\frac{3}{4}"$	$1\frac{1}{2}" \times \frac{3}{4}"$ (R)	$1\frac{1}{2}" \times 0"$ (W)	$1\frac{1}{2}" \times 0"$ (R)	$\frac{3}{4}" \times 0$		
Custom Coal Company.....	1661	Custom #4.....	1	Barton, Mo.....	270	270	270	245	230	215	220	220	205	180	165	145	145	45		
Elm Branch Coal Company (L. L. Hughes).....	1662	No. 2.....	1	Barton, Mo.....	270	270	270	245	230	215	220	220	205	180	165	145	145	45		
Jennum Coal Company (O. O. Jennum).....	1663	Ironium #2.....	1	Crawford, Kans.....	270	270	270	245	230	215	220	220	205	180	165	145	145	45		
Lyman, Pearl.....	1657	Lyman (Hume-Sinclair Dumps).....	2	Bates, Mo.....	260	260	260	235	220	205	200	220	165	145	130	160	160	45		
Mayer, P. J.....	1659	Mayer.....	2	Henry, Mo.....	300	300	300	235	220	205	200	220	195	165	180	160	160	45		

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Product group No.	Shipping point	Railroad	Freight Origin Group No.	Price classification by size group														
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Cooperative Coal Co. (T. A. Ore)	621	Filkins	3	Novinger, Mo.	CB&Q	120	B	B	B	B	C	C	C	C	A	C	A	A	A	A	A
Elm Branch Coal Company (L. L. Hughes)	1662	No. 2	1	Mulberry, Mo.	KCS	142	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Puritan Coal Company (Emil F. Farnetti)	1690	Puritan	1	Garland, Kans.	SL-SF	146	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

¹ Previously classified as truck mine.

A is Market Area list price as listed in Price Schedule No. 2.

B, minus 5 cents from list price.

C, minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 General prices in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine index No.	Mine	Production group No.	County	Lump	3/4" Up	10" x 12"	10" x 14"	12" x 14"	12" x 16"	12" x 18"	12" x 20"	12" x 22"	12" x 24"	12" x 26"	12" x 28"	12" x 30"	12" x 32"	12" x 34"	12" x 36"	12" x 38"	12" x 40"	12" x 42"	12" x 44"	12" x 46"	12" x 48"	12" x 50"	12" x 52"	12" x 54"	12" x 56"	12" x 58"	12" x 60"	12" x 62"	12" x 64"	12" x 66"	12" x 68"	12" x 70"	12" x 72"	12" x 74"	12" x 76"	12" x 78"	12" x 80"	12" x 82"	12" x 84"	12" x 86"	12" x 88"	12" x 90"	12" x 92"	12" x 94"	12" x 96"	12" x 98"	12" x 100"	12" x 102"	12" x 104"	12" x 106"	12" x 108"	12" x 110"	12" x 112"	12" x 114"	12" x 116"	12" x 118"	12" x 120"	12" x 122"	12" x 124"	12" x 126"	12" x 128"	12" x 130"	12" x 132"	12" x 134"	12" x 136"	12" x 138"	12" x 140"	12" x 142"	12" x 144"	12" x 146"	12" x 148"	12" x 150"	12" x 152"	12" x 154"	12" x 156"	12" x 158"	12" x 160"	12" x 162"	12" x 164"	12" x 166"	12" x 168"	12" x 170"	12" x 172"	12" x 174"	12" x 176"	12" x 178"	12" x 180"	12" x 182"	12" x 184"	12" x 186"	12" x 188"	12" x 190"	12" x 192"	12" x 194"	12" x 196"	12" x 198"	12" x 200"	12" x 202"	12" x 204"	12" x 206"	12" x 208"	12" x 210"	12" x 212"	12" x 214"	12" x 216"	12" x 218"	12" x 220"	12" x 222"	12" x 224"	12" x 226"	12" x 228"	12" x 230"	12" x 232"	12" x 234"	12" x 236"	12" x 238"	12" x 240"	12" x 242"	12" x 244"	12" x 246"	12" x 248"	12" x 250"	12" x 252"	12" x 254"	12" x 256"	12" x 258"	12" x 260"	12" x 262"	12" x 264"	12" x 266"	12" x 268"	12" x 270"	12" x 272"	12" x 274"	12" x 276"	12" x 278"	12" x 280"	12" x 282"	12" x 284"	12" x 286"	12" x 288"	12" x 290"	12" x 292"	12" x 294"	12" x 296"	12" x 298"	12" x 300"	12" x 302"	12" x 304"	12" x 306"	12" x 308"	12" x 310"	12" x 312"	12" x 314"	12" x 316"	12" x 318"	12" x 320"	12" x 322"	12" x 324"	12" x 326"	12" x 328"	12" x 330"	12" x 332"	12" x 334"	12" x 336"	12" x 338"	12" x 340"	12" x 342"	12" x 344"	12" x 346"	12" x 348"	12" x 350"	12" x 352"	12" x 354"	12" x 356"	12" x 358"	12" x 360"	12" x 362"	12" x 364"	12" x 366"	12" x 368"	12" x 370"	12" x 372"	12" x 374"	12" x 376"	12" x 378"	12" x 380"	12" x 382"	12" x 384"	12" x 386"	12" x 388"	12" x 390"	12" x 392"	12" x 394"	12" x 396"	12" x 398"	12" x 400"	12" x 402"	12" x 404"	12" x 406"	12" x 408"	12" x 410"	12" x 412"	12" x 414"	12" x 416"	12" x 418"	12" x 420"	12" x 422"	12" x 424"	12" x 426"	12" x 428"	12" x 430"	12" x 432"	12" x 434"	12" x 436"	12" x 438"	12" x 440"	12" x 442"	12" x 444"	12" x 446"	12" x 448"	12" x 450"	12" x 452"	12" x 454"	12" x 456"	12" x 458"	12" x 460"	12" x 462"	12" x 464"	12" x 466"	12" x 468"	12" x 470"	12" x 472"	12" x 474"	12" x 476"	12" x 478"	12" x 480"	12" x 482"	12" x 484"	12" x 486"	12" x 488"	12" x 490"	12" x 492"	12" x 494"	12" x 496"	12" x 498"	12" x 500"	12" x 502"	12" x 504"	12" x 506"	12" x 508"	12" x 510"	12" x 512"	12" x 514"	12" x 516"	12" x 518"	12" x 520"	12" x 522"	12" x 524"	12" x 526"	12" x 528"	12" x 530"	12" x 532"	12" x 534"	12" x 536"	12" x 538"	12" x 540"	12" x 542"	12" x 544"	12" x 546"	12" x 548"	12" x 550"	12" x 552"	12" x 554"	12" x 556"	12" x 558"	12" x 560"	12" x 562"	12" x 564"	12" x 566"	12" x 568"	12" x 570"	12" x 572"	12" x 574"	12" x 576"	12" x 578"	12" x 580"	12" x 582"	12" x 584"	12" x 586"	12" x 588"	12" x 590"	12" x 592"	12" x 594"	12" x 596"	12" x 598"	12" x 600"	12" x 602"	12" x 604"	12" x 606"	12" x 608"	12" x 610"	12" x 612"	12" x 614"	12" x 616"	12" x 618"	12" x 620"	12" x 622"	12" x 624"	12" x 626"	12" x 628"	12" x 630"	12" x 632"	12" x 634"	12" x 636"	12" x 638"	12" x 640"	12" x 642"	12" x 644"	12" x 646"	12" x 648"	12" x 650"	12" x 652"	12" x 654"	12" x 656"	12" x 658"	12" x 660"	12" x 662"	12" x 664"	12" x 666"	12" x 668"	12" x 670"	12" x 672"	12" x 674"	12" x 676"	12" x 678"	12" x 680"	12" x 682"	12" x 684"	12" x 686"	12" x 688"	12" x 690"	12" x 692"	12" x 694"	12" x 696"	12" x 698"	12" x 700"	12" x 702"	12" x 704"	12" x 706"	12" x 708"	12" x 710"	12" x 712"	12" x 714"	12" x 716"	12" x 718"	12" x 720"	12" x 722"	12" x 724"	12" x 726"	12" x 728"	12" x 730"	12" x 732"	12" x 734"	12" x 736"	12" x 738"	12" x 740"	12" x 742"	12" x 744"	12" x 746"	12" x 748"	12" x 750"	12" x 752"	12" x 754"	12" x 756"	12" x 758"	12" x 760"	12" x 762"	12" x 764"	12" x 766"	12" x 768"	12" x 770"	12" x 772"	12" x 774"	12" x 776"	12" x 778"	12" x 780"	12" x 782"	12" x 784"	12" x 786"	12" x 788"	12" x 790"	12" x 792"	12" x 794"	12" x 796"	12" x 798"	12" x 800"	12" x 802"	12" x 804"	12" x 806"	12" x 808"	12" x 810"	12" x 812"	12" x 814"	12" x 816"	12" x 818"	12" x 820"	12" x 822"	12" x 824"	12" x 826"	12" x 828"	12" x 830"	12" x 832"	12" x 834"	12" x 836"	12" x 838"	12" x 840"	12" x 842"	12" x 844"	12" x 846"	12" x 848"	12" x 850"	12" x 852"	12" x 854"	12" x 856"	12" x 858"	12" x 860"	12" x 862"	12" x 864"	12" x 866"	12" x 868"	12" x 870"	12" x 872"	12" x 874"	12" x 876"	12" x 878"	12" x 880"	12" x 882"	12" x 884"	12" x 886"	12" x 888"	12" x 890"	12" x 892"	12" x 894"	12" x 896"	12" x 898"	12" x 900"	12" x 902"	12" x 904"	12" x 906"	12" x 908"	12" x 910"	12" x 912"	12" x 914"	12" x 916"	12" x 918"	12" x 920"	12" x 922"	12" x 924"	12" x 926"	12" x 928"	12" x 930"	12" x 932"	12" x 934"	12" x 936"	12" x 938"	12" x 940"	12" x 942"	12" x 944"	12" x 946"	12" x 948"	12" x 950"	12" x 952"	12" x 954"	12" x 956"	12" x 958"	12" x 960"	12" x 962"	12" x 964"	12" x 966"	12" x 968"	12" x 970"	12" x 972"	12" x 974"	12" x 976"	12" x 978"	12" x 980"	12" x 982"	12" x 984"	12" x 986"	12" x 988"	12" x 990"	12" x 992"	12" x 994"	12" x 996"	12" x 998"	12" x 1000"	12" x 1002"	12" x 1004"	12" x 1006"	12" x 1008"	12" x 1010"	12" x 1012"	12" x 1014"	12" x 1016"	12" x 1018"	12" x 1020"	12" x 1022"	12" x 1024"	12" x 1026"	12" x 1028"	12" x 1030"	12" x 1032"	12" x 1034"	12" x 1036"	12" x 1038"	12" x 1040"	12" x 1042"	12" x 1044"	12" x 1046"	12" x 1048"	12" x 1050"	12" x 1052"	12" x 1054"	12" x 1056"	12" x 1058"	12" x 1060"	12" x 1062"	12" x 1064"	12" x 1066"	12" x 1068"	12" x 1070"	12" x 1072"	12" x 1074"	12" x 1076"	12" x 1078"	12" x 1080"	12" x 1082"	12" x 1084"	12" x 1086"	12" x 1088"	12" x 1090"	12" x 1092"	12" x 1094"	12" x 1096"	12" x 1098"	12" x 1100"	12" x 1102"	12" x 1104"	12" x 1106"	12" x 1108"	12" x 1110"	12" x 1112"	12" x 1114"	12" x 1116"	12" x 1118"	12" x 1120"	12" x 1122"	12" x 1124"	12" x 1126"	12" x 1128"	12" x 1130"	12" x 1132"	12" x 1134"	12" x 1136"	12" x 1138"	12" x 1140"	12" x 1142"	12" x 1144"	12" x 1146"	12" x 1148"	12" x 1150"	12" x 1152"	12" x 1154"	12" x 1156"	12" x 1158"	12" x 1160"	12" x 1162"	12" x 1164"	12" x 1166"	12" x 1168"	12" x 1170"	12" x 1172"	12" x 1174"	12" x 1176"	12" x 1178"	12" x 1180"	12" x 1182"	12" x 1184"	12" x 1186"	12" x 1188"	12" x 1190"	12" x 1192"	12" x 1194"	12" x 1196"	12" x 1198"	12" x 1200"	12" x 1202"	12" x 1204"	12" x 1206"	12" x 1208"	12" x 1210"	12" x 1212"	12" x 1214"	12" x 1216"	12" x 1218"	12" x 1220"	12" x 1222"	12" x 1224"	12" x 1226"	12" x 1228"	12" x 1230"	12" x 1232"	12" x 1234"	12" x 1236"	12" x 1238"	12" x 1240"	12" x 1242"	12" x 1244"	12" x 1246"	12" x 1248"	12" x 1250"	12" x 1252"	12" x 1254"	12" x 1256"	12" x 1258"	12" x 1260"	12" x 1262"	12" x 1264"	12" x 1266"	12" x 1268"	12" x 1270"	12" x 1272"	12" x 1274"	12" x 1276"	12" x 1278"	12" x 1280"	12" x 1282"	12" x 1284"	12" x 1286"	12" x 1288"	12" x 1290"	12" x 1292"	12" x 1294"	12" x 1296"	12" x 1298"	12" x 1300"	12" x 1302"	12" x 1304"	12" x 1306"	12" x 1308"	12" x 1310"	12" x 1312"	12" x 1314"	12" x 1316"	12" x 1318"	12" x 1320"	12" x 1322"	12" x 1324"	12" x 1326"	12" x 1328"	12" x 1330"	12" x 1332"	12" x 1334"	12" x 1336"	12" x 1338"	12" x 1340"	12" x 1342"	12" x 1344"	12" x 1346"	12" x 1348"	12" x 1350"	12" x 1352"	12" x 1354"	12" x 1356"	12" x 1358"	12" x 1360"	12" x 1362"	12" x 1364"	12" x 1366"	12" x 1368"	12" x 1370"	12" x 1372"	12" x 1374"	12" x 1376"	12" x 1378"	12" x 1380"	12" x 1382"	12" x 1384"	12" x 1386"	12" x 1388"	12" x 1390"	12" x 1392"	12" x 1394"	12" x 1396"	12" x 1398"	12" x 1400"	12" x 1402"	12" x 1404"	12" x 1406"	12" x 1408"	12" x 1410"	12" x 1412"	12" x 1414"	12" x 1416"	12" x 1418"	12" x 1420"	12" x 1422"	12" x 1424"	12" x 1426"	12" x 1428"	12" x 1430"	12" x 1432"	12" x 1434"	12" x 1436"	12" x 1438"	12" x 1440"	12" x 1442"	12" x 1444"	12" x 1446"	12" x 1448"	12" x 1450"	12" x 1452"	12" x 1454"	12" x 1456"	12" x 1458"	12" x 1460"	12" x 1462"	12" x 1464"	12" x 1466"	12" x 1468"	12" x 1470"	12" x 1472"	12" x 1474"	12" x 1476"	12" x 1478"	12" x 1480"	12" x 1482"	12" x 1484"	12" x 1486"	12" x 1488"	12" x 1490"	12" x 1492"	12" x 1494"	12" x 1496"	12" x 1498"	12" x 1500"	12" x 1502"	12" x 1504"	12" x 1506"	12" x 1508"	12" x 1510"	12" x 1512"	12" x 1514"	12" x 1516"	12" x 1518"	12" x 1520"	12" x 1522"	12" x 1524"	12" x 1526"	12" x 1528"	12" x 1530"	12" x 1532"	12" x 1534"	12" x 1536"	12" x 1538"	12" x 1540"	12" x 1542"	12" x 1544"	12" x 1546"	12" x 1548"	12" x 1550"	12" x 1552"	12" x 1554"	12" x 1556"	12" x 1558"	12" x 1560"	12" x 1562"	12" x 1564"	12" x 1566"	12" x 1568"	12" x 1570"	12" x 1572"	12" x 1574"	12" x 1576"	12" x 1578"	12" x 1580"	12" x 1582"	12" x 1584"	12" x 1586"	12" x 1588"	12" x 1590"	12" x 1592"	12" x 1594"	12" x 1596"	12" x 1598"	12" x 1600"	12" x 1602"	12" x 1604"	12" x 1606"	12" x 1608"	12" x 1610"	12" x 1612"	12" x 1614"	12" x 1616"	12" x 1618"	12" x 1620"	12" x 1622"	12" x 1624"	12" x 1626"	12" x 1628"	12" x 1630"	12" x 1632"	12" x 1634"	12" x 1636"	12" x 1638"	12" x 1640"	12" x 1642"	12" x 1644"	12" x 1646"	12" x 1648"	12" x 1650"	12" x 1652"	12" x 1654"	12" x 1656"	12" x 1658"	12" x 1660"	12" x 1662"	12" x 1664"	12" x 1666"	12" x 1668"	12" x 1670"	12" x 1672"	12" x 1674"	12" x 1676"	12" x 1678"	12" x 1680"	12" x 1682"	12" x 1684"	12" x 1686"	12" x 1688"	12" x 1690"	12" x 1692"	12" x 1694"	12" x 1696"	12" x 1698"	12" x 1700"	12" x 1702"	12" x 1704"	12" x 1706"	12" x 1708"	12" x 1710"	12" x 1712"	12" x 1714"	12" x 1716"	12" x 1718"	12" x 1720"	12" x 1722"	12" x 1724"	12" x 1726"	12" x 1728"	12" x 1730"	12" x 1732"	12" x 1734"	12" x 1736"	12" x 1738"	12" x 1740"	12" x 1742"	12" x 1744"	12" x 1746"	12" x 1748"	12" x 1750"	12" x 1752"	12" x 1754"	12" x 1756"	12" x 1758"	12" x 1760"	12" x 1762"	12" x 1764"	12" x 1766"	12" x 1768"	12" x 1770"	12" x 1772"	12" x 1774"	12" x 1776"	12" x 1778"	12" x 1780"	12" x 1782"	12" x 1784"	12" x 1786"	12" x 1788"	12" x 1790"	12" x 1792"	12" x 1794"	12" x 1796"	12" x 1798"	12" x 1800"	12" x 1802"	12" x 1804"	12" x 1806"	12" x 1808"	12" x 1810"	12" x 1812"	12" x 1814"	12" x 1816"	12" x 1818"	12" x 1820"	12" x 1822"	12" x 1824"	12" x 1826"	12" x 1828"	12" x 1830"	12" x 1832"	12" x 1834"	12" x 1836"	12" x 1838"	12" x 1840"	12" x 1842"	12" x 1844"	12" x 1846"	
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(45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 6, 1943.
[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18
NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18 and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.2 Code member price index—Supplement T-I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine index No.	County	Subdistrict price group	Prices section
Harris, Edward.....	175	McKinley, N. M.	1	Rail
Mashie, Tom.....	177	San Juan, N. M.	10	Truck

§ 338.1 General prices in cents per net ton for shipment into all market areas—
Supplement T-II

Insert the following code member's name, mine name, mine index number, and county under Sub-Districts 1 and 10, and the following prices:

Code member and mine name	Mine index No.	County	Size groups									
			1	2	4	6	8	9	10	11	12	15
SUB-DISTRICT NO. 1 Harris, Edward, Bloomfield.....	175	McKinley, N. M.	465	440	415	365	315			205	185	340
SUB-DISTRICT NO. 10 Mashie, Tom, No. 2.....	177	San Juan, N. M.	390	340				215	190	140	115	240

[F. R. Doc. 43-3500; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A-1838]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Beaver Coal Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both tem-

porary and permanent, of price classifications and minimum prices for the coals of the Beaver Coal Mine (Mine Index No. 175) of code member Wallace Martin in Subdistrict K of District No. 23; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and
No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18
NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18 and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.2 Code member price index—Supplement T-I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine index No.	County	Sub-district price group	Prices section
Raney, Gus D.....	176	Catron, N. M.	6	Rail
				Truck

§ 338.21 General prices in cents per net ton for shipment into all market areas—
Supplement T-II

Insert the following code member's name, mine name, mine index number, and county under Sub-District No. 6, and the following prices:

Code member and mine name	Mine index No.	County	Size groups									
			2	6	8	9	12	13	15			
SUB-DISTRICT NO. 6 Raney, Gus D., Green Raney.....	176	Catron, N. M.	415	365	315	280	185	165	365			

[F. R. Doc. 43-3499; Filed, March 5, 1943; 11:51 a. m.]

[Docket No. A-1848]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 18.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 18 for Truck Shipments; and

It appearing that a reasonable showing of necessity has been made for the

granting of temporary relief in the manner hereinafter set forth; and
No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 338.2 (Code member price index) is amended by adding thereto Supplement T-I, and § 338.21 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five

herein is owned in fee by the Walnut Run Coal Company, and is classified as "G" in Size Group 3 for rail shipment.

Petitions of intervention have been filed by Bituminous Coal Consumers' Counsel and District Board No. 1. In his petition of intervention, the Bituminous Coal Consumers' Counsel requested that if relief be granted permitting the sale of the coals involved herein as a mixture, the following provision be included in any temporary or final relief orders: "When such mixture is sold the invoices shall properly identify the coal." District Board No. 1 intervened urging that the requested relief be granted.

Upon the basis of the allegations contained in the amended petition, it appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and that the following action is deemed necessary in order to effectuate the purposes of the Act.

Therefore, it is ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 15, 1943.

[SEAL]

DAN H. WHEELER,
Director.

member in District No. 1, requesting permission to mix and load certain coals.

An original petition, pursuant to section 4, Part II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division (the "Division") by Byrnes Coal Company, a copartnership consisting of O. R. Byrnes, L. G. Byrnes and M. A. Byrnes, a code member, (the "petitioners") which operates the Byrnes No. 2 mine, Mine Index No. 75, and one of the Mines of Walnut Run Coal Company, Mine Index No. 74, located in Cambria County, Pennsylvania, in District No. 1. This petition requested that the petitioners be permitted (a) to load coal in railroad cars on the sidetrack of Walnut Run Coal Company, Mine Index No. 74 and (b) to mix such coal with other coal loaded on said sidetrack of Walnut Run Coal Company.

It appears that the above-named petitioners are lessees of the Walnut Run Coal Company, and that the said M. A. Byrnes is also a partner in Walnut Run Coal Company.

Subsequently, an amended petition was filed in the above-entitled matter by Walnut Run Coal Company, a partnership composed of M. A. Byrnes and William F. Dill, Barnesboro, Pennsylvania, a code member, who operate the Byrnes No. 1 Mine, Mine Index No. 74, located in District No. 1. This amended petition requested permission for Walnut Run Coal Company (1) to mix coals produced by this petitioner with those produced by Byrnes Coal Co. at the Byrnes No. 2 Mine, Mine Index No. 75, in the "D" seam and by Scalese Brothers, at the Sunshine Mine, Mine Index No. 492, in the "E" seam; and (2) to ship such mixture from Siding No. 6134 of the Walnut Run Coal Company on the Pennsylvania Railroad. This petitioner also requests that pending final disposition of the matter, a preliminary or temporary order be entered granting the relief prayed for.

It appears from the petition that Byrnes Coal Company and Scalese Brothers are lessees of the Walnut Run Coal Company, that all the coal involved

filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 5, 1943.

[SEAL] DAN H. WHEELER,

Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 23

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23 and supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 23.

FOR TRUCK SHIPMENTS

§ 343.4 Code member price index—Supplement T-I

Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices section
Martin, Wallace.....	Beaver Coal.....	175	Coos, Oregon....	"K"	Rail Truck
					..... § 343.21

Insert under Sub-District "K" in proper alphabetical order the following code member's name, mine name, mine index number, county, and minimum prices:

§ 343.21 General prices—Supplement T-II

Code member name	Mine	Mine index No.	County	Size groups
				2 10 14 24
SUB-DISTRICT "K"				
Martin, Wallace.....	Beaver Coal.....	175	Coos, Oregon.....	475 375 275 225

[F. R. Doc. 43-3501; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A-1689]

PART 321—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 1

MEMORANDUM OPINION, ETC.

Memorandum opinion and order granting temporary relief and condition-

ally providing for final relief in the matter of the petition filed by Byrnes Coal Company, a code member in District No. 1, requesting permission to mix and load certain coals; and of the petition filed by Walnut Run Coal Company, a code

Now, therefore, It is ordered, That said motion be and the same hereby is, granted, and that the original petition filed in Docket No. A-1831 be, and the same hereby is, amended in accordance therewith.

It is further ordered, That the said petitions be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (Alphabetical list of Code members) is amended by adding thereto Supplements R-I and R-II, and § 322.23 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

A motion was filed by the petitioner on January 20, 1943, with this Division in Docket No. A-1831, requesting that the original petition filed therein be amended by (1) deleting therefrom the proposal that Shaw Siding, Pennsylvania, on the Pennsylvania Railroad, be established as a shipping point for the coals produced at the Sturgis No. 2 Mine, Mine Index No. 380, of the Pennsylvania Coal Company (Myers Nobel) and in setting in lieu thereof, Sackett, Pennsylvania, on the Baltimore & Ohio Railroad, as a shipping point for said coals; and by (2) adding to said petition a proposal that the shipping point heretofore established for the coals produced at the Rider Strip Mine, Mine Index No. 449, of the said Pennsylvania Coal Company (Myers Nobel) at Fairchance, Pennsylvania, on the Baltimore & Ohio Railroad, be deleted and that there be established in lieu thereof, Rich Hill Siding, Outcrop, Pennsylvania, and Sackett, Pennsylvania, on the Baltimore & Ohio Railroad as shipping points for the coals of this mine.

It appears that a reasonable showing of necessity has been made for the granting of relief in the manner hereinafter set forth; that no petitions of intervention and motions in opposition to the granting of said motion have been filed with the Division; that the original petition, as amended, filed in Docket No. A-1831 and the original petition filed in Docket No. A-1843 should be consolidated; and that the following action is deemed necessary to effectuate the purposes of the Act.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2. The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 Alphabetical list of code members—Supplement R-I

Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers.

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.														
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
360	Erminio, Chauncey (Leckrone Fuel Co.)	Erminio #1	Pittsburgh	3	New Geneva, Pa.	Mongh.	30	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)
2626	Mineral Coal Mining Co. (Clyde A. Marsh)	Mapel Grove (D)	U. Mercer	1	Raymlinton, Pa.	NYC	101	J	J	H	H	H	H	J	J	J	(f)	(f)	(f)	(f)	(f)	(f)
2624	Primrose Mining Co. (Monro Lemon)	Primrose #1 (S)	Pittsburgh	7	Midway, Pa.	PRR	74	A	A	C	C	F	F	H	H	H	(f)	(f)	(f)	(f)	(f)	(f)
429	Wheeling & Sons, C. T.	Burdett	Brookville	1	Raymlinton, Pa.	NYC	101	J	J	H	H	H	H	J	J	J	(f)	(f)	(f)	(f)	(f)	(f)

† Indicates change in ownership only.

‡ Indicates no classification effective for this size group.

Note: In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in the groups shown. Group No. 2, 2624; Group No. 7, 360; Group No. 19, 429, 2626.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

Note: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos.				
								1	2	3	4	5
75	Byrnes Coal Co.	Byrnes #2	16	D	Barnesboro, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
492	Seale Bros. (T. J. Seale)	Shaw Siding	16	E	Barnesboro, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
74	Walnut Run Coal Co.	Byrnes #1	16	E	Barnesboro, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)

† Indicates no classifications effective for these size groups.

Note: When the coals from Mines with Index Nos. 74, 75 and 492 are loaded into the same car, Siding 1631 of the Walnut Run Coal Company at Barnesboro, Pa., the minimum price applicable to the mixture shall be the price of the coal in the mixture which has the highest price classification (Classification "G" in Size Group 3). When such mixture is sold, the invoices shall properly identify the coal.

[F. R. Doc. 43-3554; Filed, March 6, 1943; 11:26 a. m.]

[Dockets Nos. A-1831 and A-1843]
PART 322—MINIMUM PRICE SCHEDULE.
DISTRICT NO. 2

MEMORANDUM OPINION, ETC.

Memorandum opinion and order granting motion to amend petition, amending petition, consolidating petitions, granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were duly filed with this Division by District Board No. 2, (the "Petitioner"), requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and requesting changes in shipping points for the coals of certain other mines also located in District No. 2.

§ 322.7 Alphabetical list of code members—Supplement R—II

Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.									
								1	2	3	4	5	6	7	8	9	10
449	Pennsylvania Coal Company (Myers Nobel).	Rider (Strip)	Pittsburgh	3	Rich Hill Siding: Outcrop, Pa. Sackett, Pa.	B&O	80	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)
380	Pennsylvania Coal Company (Myers Nobel).	Sturgis 2	Pittsburgh	3	Rich Hill Siding: Outcrop, Pa. Sackett, Pa.	B&O	80	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)

NOTE: The above prices are applicable only via the respective Freight Origin Groups, shipping points, and Railroads shown for the respective mines. Freight Origin groups, Shipping Points, and Railroads previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 322.23 General prices—Supplement T

Prices in cents per net ton for shipment into all market Areas

Code member index	Mine Index No.	Mine	Seam	Base sizes									
				Lump over 4'	Lump 4'	Lump 3'	Lump 2'	Reg 2' x 4'	Slope 1' x 4'	Poa 3/4" x 1 1/4"	Run of mine	2' N/S	1 1/4" slack
ALLEGHENY COUNTY	Campbell, Charles E.	339	Maud	285	285	275	255	235	235	230	240	210	190
	Evanko Coal Company (Joseph Evanko).	547	Evanko	285	285	275	260	235	230	230	240	200	180
	Gross, Peter	3822	Gross	315	305	295	270	245	245	240	240	215	200
	Snyder, Frank Coal Co. (Frank Snyder).	3009	York #2	295	285	275	255	235	235	230	240	210	190
FAIRFAX COUNTY	Cotton, William H.	2619	Cotton	285	285	275	260	240	230	230	230	215	195
	Ermino, Chauncey (Leckrone Fuel Co.).	330	Ermino #1	310	300	290	270	250	240	235	240	225	195
LAWRENCE COUNTY	Mahoning Valley Sand Company.	3825	Mavasco #4	320	310	300	275	270	265	245	245	205	175
	MERGER AND VENANGO COUNTIES												
Mineral Coal Mining Co. (Clyde A. Marsh).	2626	Maple Grove (D)	U. Mercer	345	330	310	295	290	275	275	290	265	195
	Wheeling & Sons, C. T.	429	Burdett	345	330	310	295	290	275	275	290	265	195

† Indicates change in ownership only.

[F. R. Doc. 43-3555; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1634]

PART 328—MINIMUM PRICE SCHEDULE
DISTRICT NO. 8

FINDINGS OF FACT, ETC.

Findings of fact, conclusions of law, memorandum opinion and order in the matter of petitions of District Board No. 8 for a change in price classifications and minimum prices for rail, lake and truck shipments for the coals produced by High Point #1 Mine (Mine Index No. 241) of High Point Coal Company, a code member.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on September 12, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board No. 8. The petition requested a change in price classifications for coals produced by High Point Coal Company, a code member in District 8, operating the High Point No. 1 Mine (Mine Index No. 241), located in Caryville, Campbell County, Tennessee. On October 28, 1942, District Board No. 8 filed a motion to amend its petition so as to include additional size groups. No objection having been made thereto, the motion is hereby granted. The petition, as amended, requests changes in price classifications and minimum prices as follows:

Rail—Size Groups 1 to 8, inclusive, from "B" to "A"; Size Groups 11 to 14, inclusive, from "B" to "A".
Lake—Size Groups 1 to 6, inclusive, from "B" to "A".

Truck—Size Group 1, from \$3.25 to \$3.35; Size Group 2, from \$3.05 to \$3.15; Size Group 4, from \$2.55 to \$2.60.

Pursuant to appropriate orders, and after due notice to interested persons, a hearing was held on October 29, 1942, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Petitioner and Bituminous Coal Consumers' Counsel appeared. All parties waived the preparation and filing of a report by the Examiner, and the matter was thereupon submitted to me for consideration.

The High Point No. 1 Mine (Mine Index No. 241) of the High Point Coal Company operates in the Pee-wee seam, and is located in Campbell County, Tennessee, Southern Appalachian Subdistrict of District 8. This mine is adjacent to or in the near vicinity of certain other mines operating in the Pee-wee seam, which were classified "A" in the size groups in question for rail and lake shipment, and for which the effective minimum prices in Size Groups 1, 2, and 4 for truck shipment were established at \$3.35, \$3.15, and \$2.60 per ton f. o. b. the mine,

¹ Sun Mine (Mine Index No. 453) of the Sun Coal Company; Southern Collieries Mine (Mine Index No. 433) of the Southern Collieries, Inc.; Clinchmore Mine (Mine Index No. 119) of the Clinchmore Coal Mining Company.

respectively by the order of the Director in General Docket No. 15. The petition requests that the price classifications and effective minimum prices of the High Point No. 1 coals should be advanced to the price classifications and minimum prices of similarly sized coals produced by these Peewee seam mines, and particularly by the Sun Mine, which is owned by the same interests which own the High Point No. 1 Mine.

The position of District Board 8 is that the High Point No. 1 coals are comparable to and of equal market value with the coals in the same size groups produced by all other mines operating in the Peewee seam.² In support of its position District Board 8 adduced uncontradicted evidence that the coals of the High Point No. 1 Mine in the size groups involved, are used exclusively in the domestic market and that in structure, appearance, size and burning characteristics, are identical with the coals produced by all other mines operating in the Peewee seam.

According to W. P. Neekamp, a member of the Classification and Price Committee of District Board 8, the lower classification of High Point No. 1 coals was based on the recommendation of the Southern Appalachian Coal Operators' Association and on the then available information which showed some slight variation in size consist. Neekamp further testified that recent investigations by the Price and Classification Committee, a comparison of analyses, and an examination of realization data and the general market history of these coals indicate that the High Point No. 1 coals are of the same quality and characteristics as and are of equal value with similarly sized coals produced from the Peewee seam, and that there is no information indicating any variations or faults in the Peewee seam. He maintained also that the structure, appearance, size and burning characteristics of the High Point No. 1 mine coals which make for its market acceptability in do-

mestic markets, are identical with those of the other Peewee seam coals and that the variation in size consist has no effect on their respective market values. O. W. Robinson, President of High Point Coal Company and Sun Coal Company, explained, further, that the slightly higher screening percentages in High Point No. 1 coals were, in large measure, caused by the loading facilities of the High Point No. 1 Mine which have produced excessive breakage. The testimony of R. H. McCormick, Vice President and Sales Manager of the Kearns Coal Company, exclusive sales agent for the High Point and Sun Mines, to the effect that the coals in these mines are both marketed under the "Sun-Ra" trademark, are sold interchangeably, and from October 1, 1940 to the date of the hearing had the same sales realization, confirms the contention of District Board 8 that there should be no differential between effective minimum prices for the domestic sizes of the High Point No. 1 Mine and those produced from the other Peewee seam mines.³

From all of the evidence presented herewith, I am satisfied that the coals of the Peewee seam are all of comparable quality and characteristics, and of equal market value, and that the classification of High Point No. 1 coals, which apparently was erroneously made, was based upon the inadequate information available at the time of such classification. I am aware in this case that an increase in minimum prices will result in increased maximum prices applicable for rail shipment in all of the size groups except Size Group 1. I have, however, had occasion recently to hold that the increase in minimum prices will not be denied because it may result in an increase in maximum prices.⁴ The underlying principle which guides the Division in determining the propriety of a revision of prices is whether the revision is necessary to effectuate the standards set forth in the Act. During this present period of emergency, when undue rises in the prices of commodities and the consequent tendencies toward inflation must be avoided, the Division

has a duty and is enjoined to consider with great care such applications as may be presented for revision. The Division has generally relied, and will continue to rely, in matters of classification upon the information and experience which the District Boards have. For that reason, however, the District Boards have the serious duty of scrutinizing with redoubled care and attention, all applications for revision of minimum prices which may result in increased maximum prices. It is expected that the Boards will conscientiously scrutinize all requests for reclassification with infinite care.

In reliance upon the petition of District Board 8, the evidence adduced at the hearing in support thereof, and in view also of the fact that no objection to the request of District Board 8 was expressed at the hearing, I am of the opinion that the coals of High Point No. 1 Mine are comparable to and of equal value with the coals produced by other mines operating in the Peewee seam, and that in order for minimum prices for these coals to be just and equitable, to reflect as nearly as possible relative market values, and to preserve as nearly as may be existing fair competitive opportunities, the classification of the coals of the High Point No. 1 Mine should be advanced to the classification of the coals produced by such other Peewee seam mines. I find that, upon the basis of the entire record in this proceeding, such classification complies with the standards set forth in section 4 II (a) and (b) of the Act, and is required to effectuate the policy and purpose thereof.

Now, therefore, It is ordered, That effective fifteen (15) days from the date hereof, § 328.11 (*High Volatile Coals—Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T,⁵ which supplements are hereinafter set forth and hereby made a part hereof.

Dated: February 23, 1943.

[SEAL]

DAN H. WHEELER,
Director.

²This includes, in addition to the mines mentioned in footnote 1 above, the mine of the Peewee Coal Company, Incorporated, which also operates in the Peewee seam. It is significant that by order of the Director dated September 10, 1941 (6 F.R. 4729), the coals of this mine in the same size groups were given the same classifications and prices as the coals of the above-mentioned mines, despite the protest of the Peewee Coal Company, Incorporated, and after a hearing on its petition which alleged that its coals were comparable to and of equal value with the coals of the High Point No. 1 Mine. See *In the Matter of the Petition of District Board No. 8, etc.*, Dockets A-446 and A-446, Part II.

³Comparison of gross realization for block and egg coals of the High Point No. 1 and Sun Mines for the period from October 1940 to June 1942, indicates that the average per ton realization for the High Point No. 1 Mine was slightly higher than that for the Sun Mine.

⁴In the matter of the *Petition of Kentucky Cardinal Coal Corporation, etc.*, Docket A-1478.

⁵By order of the Director in General Docket No. 21, (7 F.R. 6943), effective October 1, 1942, and therefore, subsequent to the filing of the petition herein, it was provided, *inter alia*, that minimum prices for truck shipment be increased 20 cents per net ton. The petition is hereby amended in accordance therewith and the relief herein granted will reflect such increases.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 High volatile coals—Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group	Price classifications by size group numbers																	
								For destinations other than Great Lakes									For Great Lakes cargo only								
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
								A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
241	High Point Coal Company	No. 1	Pee Wee	6	Caryville, Tenn.	Son	40	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes							
				Lump over 24", egg 4"	Lump 24" and under, egg 3"	Lump 24" and under, egg 2"	Lump 24" and under, egg 1"	Lump 24" and under, egg 3/4"	Lump 24" and under, egg 3/8"	Sieve 24" and under, egg 2"	Sieve 24" and under, egg 1"
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
CAMPBELL COUNTY, TENN.											
High Point Coal Company	No. 1	241	Pee Wee	355	335	280	4	5	6	7	8

*Indicates previously classified these size groups.

[F. R. Doc. 43-3556; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1845]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief

In the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 914.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party,

requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Wheelhouse Mine, Mine Index No. 914 of Wheelhouse Coal Company; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith \$330.4 (Price groups) is amended by adding thereto Supplement R-I, and \$330.10 (Special prices)—(a) (2) Railroad locomotive fuel prices is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order,

pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1-F and 2-A in § 330.10 (Special prices)—(a) (3) Exceptions in Price Schedule, Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck are applicable to the coals of all other mines in Price Group 25 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these Price Exceptions to the coals of Mine Index No. 914, the relief granted herein makes the said Price Exceptions applicable to the coals of Mine Index No. 914.

Dated: February 12, 1943.

[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10
NOTE: The material contained in these supplements is to be read in the light of the classification, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 Price groups—Supplement R-1

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
25	Wheelhouse Coal Co.	Wheelhouse	914	42	Rushville	CB&Q.

Mine Index No. 914 shall be included in Price Group 25 and shall take the same f.o.b. mine prices as other mines in Price Group 25, Schedule No. 1, District No. 10. For All Shipments Except Truck, and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; *Provided, however*, That these f.o.b. mine prices apply on board transportation facilities at Rushville, Illinois.

§ 330.10 Special prices—(a) (2) Railroad locomotive fuel prices—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
25	Wheelhouse Coal Co.	Wheelhouse	914	42	Rushville	CB&Q.

The railroad locomotive fuel price shall be: Mine Run—\$2.00, Screenings—\$1.40, and railroad locomotive fuel price exceptions 1-F, 2-A shall apply.

[F. R. Doc. 43-3557; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1855]

**PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 10**

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of minimum prices for the Lindsey Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced for truck shipment by the Lindsey Mine (Mine Index No. 1622) of H. J. Lindsey in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4-II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 15, 1943.
[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

**§ 330.25 General prices in cents per net ton for shipment into all market areas—
Supplement T**

Code member index No.	Mine index No.	Mine	Seam	Prices and size group Nos.											
				1	2	3	4	5	6	7	8	9	10	11	12
SECTION NO. 5— SCHUYLER COUNTY Lindsey, H. J.	1622	Lindsey													
				2	200	255	280	240	235	230	175	170	165	160	160

[F. R. Doc. 43-3558; Filed, March 6, 1943; 11:24 a. m.]

[Docket No. A-1851]

**PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 11**

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of minimum prices for rail shipments by the Phillips Mine of Shaw Mining Co. (Harry C. Shaw).

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced for rail shipment by the Phillips Mine (Mine Index No. 1353) of Shaw Mining Co. (Harry C. Shaw) in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 Alphabetical list of code members—Supplement R

Mine index No.	Code member	Mine	Sub-district	Freight origin group	Price group	Shipping point	Rail-road
1353	Shaw Mining Co. (Harry C. Shaw)	Phillips	V	BO	20	11	Boonville, Mo.

Mine Index No. 1353 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Group 11 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as have been established for Mine Index No. 87 and other mines in Freight Origin Group 20 of the Boonville Sub-district having the same freight rate.

Mine Index No. 1353 shall be accorded the same prices for locomotive fuel as shown in § 231.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck, as are shown for Mine Index No. 87.

[F. R. Doc. 43-3559; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1860]

PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 1377.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Hobbs No. 2 Mine, Mine Index No. 1377 of Carl Hobbs; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.24 (General prices in cents per net ton for shipment

into all market areas) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 13, 1943.

[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 General prices in cents per net ton for shipment into all market areas—
Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group										
				1	2	3	4	5	6	7	8	9	10, 11, 12	13 14 15 16
FERRY COUNTY Hobbs, Carl	1377	Hobbs No. 2	V	255	250	245	235	230	225	185	190	180	175	155 145 90 60

[F. R. Doc. 43-3560; Filed, March 6, 1943; 11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 89]

OAKLAND PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Oakland Project to be work of national importance, to be known as Civilian Public Service Camp No. 89. Said camp, located at Oakland, Garrett County, Maryland, will be the base of operations for forestry work in the States of Maryland and West Virginia, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 89 will consist of fire suppression, fighting forest fires, field planting, forest stand improvement and betterment of truck trails, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Service Service Headquarters.

LEWIS B. HERSHEY,
Director.

FEBRUARY 23, 1943.

[F. R. Doc. 43-3508; Filed, March 5, 1943; 1:52 p. m.]

[Amendment 133, 2d Ed.]

PART 622—CLASSIFICATION

REGISTRANTS BETWEEN 38 AND 45 YEARS OF AGE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.45 to read as follows:

§ 622.45 *Class IV-H: Formerly deferred because of an age group not acceptable for military service.* No registrant shall hereafter be placed in Class IV-H. The classification of all such registrants now eligible or who, before May 1, 1943, become eligible for classification into Class II-C or Class III-C shall be immediately reopened and they shall be classified in Class II-C or Class III-C. The classification of all other registrants now in Class IV-H shall be reopened and they shall be classified anew as soon as possible after May 1, 1943.

2. Amend the regulations by adding a new section to be known as § 622.81 to read as follows:

§ 622.81 *Identifying classified registrants over 38 years of age and under 45 years of age.* Whenever a classified registrant has reached or hereafter reaches the 38th anniversary of the day of his birth and has not attained the 45th anniversary of the day of his birth, he shall be identified in all records by following his classification with the letter "(H)." For example: If such registrant is in Class I-A, he shall be identified thus, "Class I-A(H)." If such registrant is in Class II-B, he shall be identified thus, "Class II-B(H)." If such registrant is in Class III-C, he shall be identified thus, "Class III-C(H)." If such registrant is in Class IV-F, he shall be identified thus, "Class IV-F(H)." The identification "(H)" shall be used for each such registrant regardless of his classification.

3. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 5, 1943.

[F. R. Doc. 43-3570; Filed, March 6, 1943; 12:45 p. m.]

[Amendment 134, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

CLASSES NOT REQUIRING PHYSICAL EXAMINATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C. Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the

War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a), (b), and (c) of § 623.21 to read as follows:

§ 623.21 *Consideration of classes not requiring physical examination.* (a) Upon undertaking to classify any registrant, it should first be determined whether he should be classified in Class I-C. If the registrant is not classified in Class I-C, it should next be determined whether he should be classified in Class IV-A.

(b) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section, the local board shall next determine whether he should be classified in Class IV-C on the ground that he is a neutral alien who has filed DSS Form 301 or on the ground that there is no possibility of his being accepted for training and service because of his nationality or ancestry. Otherwise no consideration will be given to Class IV-C at this time.

(c) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section and is not classified in Class IV-C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed, and the registrant shall be classified in the first class for which grounds are established:

Class IV-D	Class III-A
Class IV-B	Class II-C
Class III-C	Class II-B
Class III-B	Class II-A

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 5, 1943.

[F. R. Doc. 43-3571; Filed, March 6, 1943; 12:45 p. m.]

[Amendment 135, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

CLASSIFICATION AND CHANGE OF CLASSIFICATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 623.61 to read as follows:

§ 623.61 *Classification and change of classification.* * * *

(c) When the local board classifies or changes the classification of a registrant, it shall record such classification on the Selective Service Questionnaire (Form

40) and the Classification Record (Form 100). Such classification shall also be entered in Section II on the Report of Physical Examination and Induction (Form 221) when the registrant is classified following physical examination by the examining physician or when such physical examination has been waived. If the registrant has been denied a claim for a classification in Class I-A-O or Class IV-E, the local board shall enter on each copy of the Report of Physical Examination and Induction (Form 221) opposite Item 27 (a), a statement to that effect.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 6, 1943.

[F. R. Doc. 43-3572; Filed, March 6, 1943; 12:45 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 23]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS

Correction

Item 94 of the document appearing on page 2750 of the issue for Friday, March 5, 1943, should read as follows:

"94. Copper..... 6401.00 thru 6439.98"

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Preference Rating Order P-46 as Amended Oct. 10, 1942]

§ 978.1 *Preference Rating Order P-46.* Preference Rating Order P-46 (7 F.R. 8181) as amended October 10, 1942 is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3547; Filed, March 5, 1943; 4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Supplementary Preference Rating Order P-46-a, as Amended]

§ 978.2 *Preference Rating Order P-46-a.* Preference Rating Order P-46-a, as amended, (7 F.R. 8184) is

hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3548; Filed, March 5, 1943;
4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Supplementary Preference
Rating Order P-46-b, as Amended]

§ 978.3 *Preference Rating Order P-46-b.* Preference Rating Order P-46-b, as amended (7 F.R. 10549) is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3549; Filed, March 5, 1943;
4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, RE- PAIR AND SUPPLIES

[Revocation of Supplementary Preference
Rating Order P-46-c, as Amended]

§ 978.4 *Preference Rating Order P-46-c.* Preference Rating Order P-46-c, as amended (7 F.R. 10549), is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3550; Filed, March 5, 1943;
4:46 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-b, as Amended
March 6, 1943]

WAREHOUSES AND DEALERS

Supplementary Order M-21-b (§ 962.3) is hereby amended to read as follows:

§ 962.3 *Supplementary Order M-21-b—(a) Definitions.* For the purpose of this supplementary order:

(1) "Warehouse" means any person who receives physical delivery of iron or steel from a producer for sale or resale in the form received; but does not include any structural shape, plate, or sheet fabricator unless his warehouse sales during 1940 represented at least 25 percent of the total tonnage of iron or steel products handled by him during that year.

(2) "Dealer" means any person who receives physical delivery of iron or steel from a warehouse for sale or resale in the form received.

(3) "Delivery" includes deliveries on consignment.

(4) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(b) *Schedule A products.* With respect to the iron or steel products listed in Schedule A hereto:

(1) *Quota restrictions.* No warehouse shall accept from any person during any calendar quarter deliveries except within the limits of the quota established for such warehouse by the Director General for Operations. Such quota shall be computed on the base tonnage herein described. The base tonnage of any Schedule A product classification is the tonnage of such product classification shipped by the warehouse from stock during the first calendar quarter of 1941. The quota of the warehouse in each calendar quarter is the percentage of such base tonnage shown in columns 2 or 3 of Schedule A. No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product classification in a grade invoiced as less than prime quality, may, during any calendar quarter, purchase prime quality iron or steel products of the same classification from all producers in an amount greater than one-fourth of the tonnage of such prime quality material purchased from all producers during 1940. The base tonnage or the quota may be changed from time to time by the Director General for Operations.

(2) *Preference rating.* The Director General for Operations will issue to each warehouse for which a quota may be established pursuant to paragraph (b) (1), and which has reported monthly on form PD-83, a certificate assigning a preference rating of A-1-k to deliveries of iron or steel to such warehouse, within the limits of such quota. No person may deliver Schedule A products to any warehouse, and no warehouse may accept such deliveries, unless such warehouse shall have filed with such person a copy of its A-1-k preference rating certificate. Such preference rating may be changed from time to time by the Director General for Operations.

(3) *Reports.* Each warehouse unless specifically exempted shall file with the Bureau of the Census, Washington, D. C., on or before the 15th day of each month, a report on form PD-83 Revised, or in such other form as may from time to time be prescribed by the Director General for Operations.

(4) *Supplementary quota.* In addition to the quarterly quota provided for in paragraph (b) (1), any warehouse may during the calendar quarter ending March 31, 1943, accept deliveries of any steel product classification in an amount which, when added to its total receipts of such product classification during the calendar year 1942 will not exceed the total quota assigned for such product classification for the period January 1, 1942 to March 31, 1943; however, in no event shall a warehouse accept deliveries which, when added to its total receipts of all Schedule A product classifications during the calendar year 1942, result in an excess over its total quota for all product classifications for the period January 1, 1942 to March 31, 1943.

(c) *Schedule B products.* With respect to the iron and steel products listed in Schedule B hereto:

(1) *Quota restrictions.* No producer shall make to a warehouse, and no warehouse shall accept from any producer during any calendar quarter, deliveries for stock except within the limits of the quota which such warehouse is entitled to receive from such producer. Such quota shall be computed on the base tonnage herein described. Except for wire and wire products, the base tonnage of all Schedule B product classifications is the tonnage of such product classification shipped by the producer to the warehouse stock during the corresponding calendar quarter of 1940. The base tonnage for wire and wire products is the tonnage shipped by the producer to the warehouse stock during the corresponding calendar quarter of the period July 1, 1940 to June 30, 1941. By written notice delivered to the producer on or before March 31 of any year, the warehouse may change the base tonnage of any Schedule B product classification for that year to one-fourth of the annual base tonnage provided for above; but the base tonnage cannot thereafter be changed for any subsequent calendar quarter during that year. The quota which each producer may deliver to each warehouse in each calendar quarter following December 31, 1942, is the percentage of such base tonnage shown in column 3 of Schedule B herein. The base tonnage or the quota may be changed from time to time by the Director General for Operations. Any warehouse whose base tonnage of all Schedule B products with any producer for the calendar year is 120,000 pounds or less may accept its annual quota from such producer at any time during the calendar year, provided that not more than two minimum carloads are accepted in any calendar quarter. After approval by the Steel Division, War Production Board, on Form PD-83-e Revised, the base tonnage and quota of a warehouse for any product classification may be transferred from one producer to another.

(2) *Preference rating.* A preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in column 2 of Schedule B herein. Shipment of Schedule B products to any warehouse may be increased to the percentage shown in column 3 of Schedule B only if the warehouse through the use of Form PD-83-g is able to develop ratings higher than A-3 for additional tonnage. Where the amount of all Schedule B products assigned the A-3 rating in any calendar quarter is less than one minimum carload for the haul in question but more than one-half of such minimum carload, such rating may be applied up to one minimum carload.

(3) *Reports.* Each producer making deliveries of Schedule B products to a warehouse shall file with the Steel Division, War Production Board, on or before July 15, 1942, and quarterly thereafter, a report on form PD-83-f Revised, or in

such other form as may from time to time be authorized by the Director General for Operations.

(4) *Deliveries to warehouses and dealers by persons other than producers.* A preference rating of A-3 is assigned to deliveries of Schedule B products from persons other than producers and their agents to warehouses and dealers who handled such products in 1940; *Provided, however,* That a dealer may not use this rating to purchase any Schedule B product from a warehouse stock during a calendar quarter in quantities greater than would be obtained by applying the percentage shown in column 2 of Schedule B herein to his total purchases of such product from such warehouse stock during the corresponding calendar quarter of the base period established for such product in paragraph (c) (1) above.

(d) *Limitations on deliveries by warehouses and dealers.* (1) No warehouse or dealer shall deliver steel or iron products on any preference rated order unless such order is accompanied, in addition to the preference rating certification required by Priorities Regulation No. 3, by the appropriate group classification as prescribed by General Preference Order M-21 with respect to purchase orders placed with producers.

(2) Except as hereinafter provided, or with the specific permission of the Director General for Operations, no warehouse or dealer shall deliver steel or iron products except on an order bearing a preference rating of AA-5 or higher; *Provided, however,* That

(i) A warehouse or dealer may deliver carbon steel or iron products on an order certified for essential repair or maintenance purposes and bearing a preference rating of A-10 or higher; *Provided,* That deliveries of the following carbon steel or iron products in this manner by any warehouse or dealer during any calendar quarter do not exceed the amounts indicated below:

Tool steel products—3% of quarterly quota for such products.

All other carbon steel or iron products—Whichever is the greater of (A) 5% of the quarterly quota for all such products, or (B) an aggregate of 150 tons of all such products (but not more than the quarterly quota for all such products).

(ii) A warehouse or dealer may deliver flat rolled carbon steel or iron products which were received by him, or which have been accumulated from warehouse shearings, in sizes not greater than those specified below on an order bearing a preference rating of A-1-k or higher:

PLATES

Gauge	Width	Length
3/8" and lighter.....	Under 72".....	Under 120".....
Over 3/8" but under 1".....	Under 48".....	Under 120".....

SHEETS

Gauge	Width	Length
3/16" through 16 gauge.....	Under 60".....	Under 90".....
Lighter than 16 gauge.....	Any.....	Under 72".....

(iii) A warehouse or dealer may deliver black or galvanized welded pipe up to and including 3 1/2" O. D. standard pipe size, wrought iron pipe, oil country tubular goods rated under Order P-98-b, pressure tubing, wire rope and strand, woven or welded wire fence, poultry netting, barbed wire, wire (except stainless or alloy wire), water well casing, or posts and gates on an order bearing a preference rating of A-10 or higher.

(iv) A warehouse or dealer may deliver nails, staples, or bale ties on lower rated or unrated orders, and may deliver formed roofing and siding on lower rated or unrated orders for maintenance and repair purposes.

(v) A warehouse or dealer may deliver any carbon steel or iron products pursuant to Food Production Order 3 of the Secretary of Agriculture.

(3) No warehouse or dealer shall make a delivery to any one customer to one destination at any one time or against any one order from warehouse stock in quantities representing 40,000 lbs. or more except with the specific approval of the Director General for Operations, unless such delivery includes ten or more different items, each item to be of a specific quality, length, or cross-section, and no item of which shall weigh more than 8,000 lbs.; *Provided, however,* That the provisions of this paragraph (d) (3) do not apply to deliveries of oil country tubular goods rated under Order P-98-b.

(4) A warehouse or dealer called upon under the terms of Priorities Regulation No. 1, as amended, to deliver from stock at any one time one or more items weighing 8,000 lbs. each or more, which delivery would seriously deplete the warehouse inventory of such item or items, thereby impairing the service which the warehouse or dealer must render to all other buyers, may appeal to the Director General for Operations for relief from any part of such delivery.

(5) The limitations on deliveries set forth in this paragraph (d) may be changed from time to time by the Director General for Operations.

(e) *Special instructions.* The Director General for Operations may from time to time issue specific directions to warehouses or dealers requiring them to earmark stocks or to make deliveries during specified periods in fulfillment of contracts, commitments, or purchase orders for particular purposes or to particular persons. Such directions will be made primarily to insure satisfaction of all war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts, commitments, or purchase orders, and without regard to any quota established under paragraphs (b) or (c).

(f) *Extensions of higher ratings.* The provisions of Priorities Regulation No. 3 or of any preference rating certificate or order heretofore or hereafter issued to the contrary notwithstanding, no rating higher than A-1-k on Schedule A products or higher than A-3 on Schedule B products shall be extended by a warehouse for deliveries to stock except

on form PD-83-g and in accordance with the following:

(1) *For deliveries of Schedule A products to warehouses having a quarterly quota of Schedule A products amounting to 500 tons or less.* (i) For the purposes of extension, preference ratings received on the sale of one or more product classifications representing the same type of steel (carbon, stainless or alloy) may be grouped.

(ii) Except as permitted by paragraph (f) (3), extension of a rating higher than A-1-k for any type of steel shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k an accumulated total weight of such type of steel not less than the following:

	Pounds
Carbon steel, all products.....	40,000
Stainless steel, all products.....	6,000
Alloy steel, all products.....	20,000

(2) *For deliveries of Schedule A products to all other warehouses and for deliveries of all Schedule B products to warehouses.* (i) For the purposes of extension, the rating received by the warehouse for each product classification and type of steel as shown in Schedule C shall be separately accumulated.

(ii) Except as permitted by paragraph (f) (3), extension of a rating higher than A-1-K for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k or A-3 as the case may be, an accumulated total weight of such product classification and type not less than the minimum shown in Schedule C.

(3) As to iron or steel specialty products (such as wire rope and strand, spring wire, manufacturers' wire, and music wire) extension of a rating higher than A-1-k for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension shipped from stock on ratings higher than A-1-k or A-3, as the case may be, 1,000 pounds or more of such specialty item.

(4) The rating to be extended to the delivery of any product classification shall be the lowest rating received on shipments within the accumulated total.

(5) An amount of each product listed in paragraph (d) (2) (iii) or (iv) equal to the amount obtained through the use of preference ratings higher than A-1-k shall be reserved for a period of 90 days following the date of receipt by the warehouse for delivery on orders rated higher than A-1-k, except when otherwise specifically ordered by the Director General for Operations. If such material is not sold at the end of 90 days on ratings higher than A-1-k, it may then be sold on other purchase orders, subject to the provisions of this or other orders of the War Production Board.

(6) Consolidated ratings established pursuant to this paragraph (f) must be based solely on deliveries from one location, and deliveries pursuant to such

consolidated ratings must be made to the same location.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[Base tonnage—shipments from warehouse stock, first calendar quarter of 1941, as approved on Form PD-83-a]

Product classification (Column 1)	Quota percent of base tonnage	
	States of California, Oregon, and Washington (Column 2)	All other states (Column 3)
1. Ingots, blooms, billets, slabs, tube rounds, sheet and tin bars	120	100
2. Structural shapes and piling	120	100
3. Plates (universal and sheared)	135	125
4. Rails—over 60 lbs.	100	100
5. Rails—all other	100	100
6. Tie plates and track accessories, including track spikes	100	100
7. Hot rolled bars, carbon, including hoops and bands	130	110
9. Hot rolled bars, alloy	120	100
10. Cold finished bars, carbon and alloy	130	110
11b. Tubes (mechanical and pressure)	130	110
12. Wire rods (for wire drawing only)	0	0
14. Black plate	80	60
16. Sheets and strip, hot rolled	120	100
17. Sheets and strip, cold reduced	80	60
19. Sheets and strip, all other (including long ternes)	80	60
20. Tool steel, including drill rod	130	110
21. Wheels and axles	100	100
22. Forgings, armor plate, and ordnance	100	100
23. Forgings, all other (rough forgings only)	100	100
24. Steel castings (rough castings only)	100	100
25. Skelp	100	100
26. All other	100	100

SCHEDULE B

[Base tonnage—for all products except Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of 1940. For Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of the period July 1, 1940 to June 30, 1941. On specific election of the warehouse pursuant to paragraph (c) (1) of the order, the quarterly base tonnage may be changed to one-fourth of total shipments to stock during the base period provided above.]

Product classification (Column 1)	Percent of base tonnage rated A-3 (Column 2)	Quota as % of base tonnage (maximum which may be shipped) (Column 3)
8. Hot rolled bars, concrete reinforcing	50	120
11a. Pipe and tubes (all kinds except mechanical and pressure tubing and cast iron soil pipe and fittings)	100	120
13. Wire and wire products:		
a. Wire rope and strand, bale ties, nails, staples	140	140
b. Wire, woven fence wire, poultry netting, barbed wire	100	120
c. Fence posts and gates	0	0
18. Tin andterne plate (short ternes)	10	20
18. Galvanized sheets and strip (including formed roofing and siding)	100	120

SCHEDULE C

[Minimum size orders of steel for warehouse stock to which a rating higher than A-1-k may be extended]

Schedule A products	Type of steel (pounds)		
	Carbon	Alloy	Stainless
1. Ingots, blooms, billets, slabs, tube rounds, and sheet and tin bars	40,000	20,000	-----
2. Structural shapes and piling	40,000	20,000	-----
3. Plates (universal and sheared)	40,000	20,000	6,000
4. Rails—over 60 lbs.	40,000	-----	-----
5. Rails—all other	40,000	-----	-----
6. Tie plates and track accessories, including track spikes	40,000	-----	-----
7. Hot rolled bars, carbon, including hoops and bands	40,000	-----	-----
9. Hot rolled bars, alloy	-----	20,000	6,000
10. Cold finished bars, carbon and alloy	20,000	10,000	6,000
11b. Tubing (mechanical and pressure)	40,000	10,000	2,000
12. Wire rods (for wire drawing only)	No quotas	-----	-----
14. Black plate	40,000	-----	-----
16. Sheets and strip, hot rolled	40,000	20,000	6,000
17. Sheets and strip, cold reduced	20,000	10,000	6,000
19. Sheets and strip, all other (including long ternes)	20,000	10,000	-----
20. Tool steel, including drill rod	1,000	1,000	-----
21. Wheels and axles	40,000	20,000	-----
22. Forgings, armor plate and ordnance	20,000	20,000	-----
23. Forgings, all other (rough forgings only)	20,000	20,000	-----
24. Steel castings (rough castings only)	20,000	20,000	2,000
25. Skelp	40,000	20,000	6,000
26. All other	40,000	20,000	6,000

[Minimum size orders of steel for warehouse stock to which a rating higher than A-3 may be extended]

Schedule B products	Type of steel (pounds)		
	Carbon	Alloy	Stainless
8. Hot rolled bars, concrete reinforcing	40,000	-----	-----
11a. Pipe and tubes (all kinds except mechanical and pressure tubing, and cast iron soil pipe and fittings)	40,000	-----	-----
13. Wire and wire products:			
a. Wire rope and strand, bale ties, nails, staples	40,000	-----	2,000
b. Wire, woven fence wire, poultry netting, barbed wire	No quotas	-----	-----
c. Fence posts and gates	40,000	-----	-----
15. Tin andterne plate (short ternes)	40,000	-----	-----
18. Galvanized sheet and strip (including formed roofing and siding)	40,000	-----	-----

[F. R. Doc. 43-3563; Filed, March 6, 1943; 11:31 a. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

[Supplementary Limitation Order L-23-b, as Amended March 6, 1943]

DOMESTIC ELECTRIC RANGES

Section 1028.3 *Supplementary Limitation Order L-23-b* is hereby amended to read as follows:

§ 1028.3 *Supplementary Limitation Order L-23-b—(a) Definitions.* For the purposes of this order:

(1) "Domestic electric range" means any range or cooking stove designed primarily for home use, having as functional parts electric heating elements of a total rated wattage of 2½ kilowatts or over.

(2) "New domestic electric range" means any domestic electric range which has never been used by an ultimate consumer, including but not limited to, any such range which has been used after May 2, 1942, merely for demonstration purposes.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any domestic electric range or parts (including repair parts) specifically intended for incorporation therein.

(4) "Distributor" means any person engaged in the business of selling domestic electric ranges to one or more dealers for resale.

(5) "Dealer" means any person engaged in the business of making sales at retail of domestic electric ranges to the public.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (3), (a) (4) and (a) (5) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction he engages in.

(6) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of domestic electric ranges by one person to any other person, but shall not include:

(i) Transfers of title merely for security purposes;

(ii) Transfers of domestic electric ranges to and from warehouses where no substantial change in right, title or ownership to such domestic electric ranges is affected;

(iii) Transfers to and from carriers in order to effect the transfers specified in this paragraph.

(7) "Repair or replacement part" means any part for a domestic electric range which is not intended for use in the manufacture or assembly of any new domestic electric range.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of domestic electric ranges, or parts (including repair parts) for such ranges, to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Prohibition of manufacture.* On and after March 6, 1943, no manufacturer shall produce or assemble any new domestic electric range or any part for such range other than a repair or replacement part.

(c) *Restrictions on transfer of new domestic electric ranges.* (1) On and after March 6, 1943, no manufacturer, distributor or dealer shall transfer any new domestic electric range, except

(i) Manufacturers may transfer new domestic electric ranges to other manufacturers;

(ii) Distributors may transfer new domestic electric ranges to other distributors or manufacturers;

(iii) Dealers may transfer new domestic electric ranges to other dealers, distributors or manufacturers;

(iv) Dealers may transfer any new domestic electric ranges to ultimate consumers in accordance with paragraph (c) (2) of this order;

(v) Pursuant to specific authorization of the Director General for Operations on Form PD-556 pursuant to an application filed on said form.

(2) Any transfer of a new domestic electric range to an ultimate consumer pursuant to paragraph (c) (1) (iv) of this order may be made only if the transferee personally or by an authorized official (either manually or as provided in Priorities Regulation No. 7) shall sign a certificate in writing in substantially one of the following forms, either on a separate document or on the bill of sale or on any other document normally used in connection with transfers of new domestic electric ranges:

(1) I hereby certify in accordance with the provisions of Limitation Order L-23-b that I require a new domestic electric range to replace a domestic electric range which is worn out, damaged beyond repair or destroyed.

By _____

(11) I hereby certify in accordance with the provisions of Limitation Order L-23-b that no other cooking equipment is available, that my premises are wired for the installation of a domestic electric range, and that electric utility service facilities for range operation have been installed.

By _____

Any such certificate shall constitute a representation to the War Production Board and to the transferor. A dealer may not transfer any new domestic electric range pursuant to such a certificate if he knows or has reason to believe that the certificate is false.

(d) *Repair and replacement parts.*

(1) No manufacturer may produce any repair or replacement parts except heating units, thermostats, switches, relays, lead-in and connection wires, handles and hinges, and components of such parts, provided that no copper or copper base alloy is used except to conduct electricity. The production of heating units for repair or replacement purposes and the use of electrical resistance material in such units shall conform to the restrictions of Limitation Order L-65, as amended.

(2) No manufacturer shall produce any type of repair or replacement part if such production will result in his having more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(3) Except in fulfillment of preferred orders, no manufacturer shall sell or deliver any repair or replacement part unless a similar used part has been delivered to him in exchange therefor (notwithstanding the provisions of Copper Conservation Order M-9-b), or unless he has received a certificate in writing (which shall constitute a representation to the manufacturer and to the War Production Board) in substantially the following form, signed by a distributor,

dealer or other person engaged in the business of repairing domestic electric ranges or parts for such ranges, or by an authorized official, either manually or as provided in Priorities Regulation No. 7:

I hereby certify in accordance with the provisions of Limitation Order L-23-b that I have disposed of, through scrap channels, a used part of similar kind and size for each repair or replacement part to be delivered to me under this purchase order.

(Signature) _____

By _____

A manufacturer may rely on such certificate unless he knows or has reason to believe it to be false.

(e) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any materials in the production of domestic electric ranges or repair or replacement parts to a greater extent than the limits imposed by this Order, the restrictions in such other order shall govern unless otherwise specified therein.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(h) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of domestic electric ranges, or parts for such ranges, including repair or replacement parts, inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

(j) *Audit and inspection.* All reports required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-23-b.

Issued this 6th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3564; Filed March 6, 1943; 11:30 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-170, as Amended March 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 Limitation Order L-170—

(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided, That:*

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding \$2,500 for the period November 1, 1942, to September 30, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calen-

dar year 1941 exceeded \$10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded \$750,000 but did not exceed \$10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed \$750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron and steel), and hand tools and water storage tanks.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders. No item listed on Schedule A (except to the extent provided in paragraph (g) (5) hereof) shall be deemed a repair part, except that items of harness hard-

ware may be deemed repair parts to the extent actually sold for repair or replacement purposes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) General restrictions on production for domestic use (including "concentration of production"). (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that:

(a) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(b) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(c) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 30% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided*, That once such option is made, it shall apply to all attachments to be produced.

(ii) Manufacture for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 160% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota:

(4) No producer, whose quota of any item of farm machinery and equipment has been increased by reason of the amendment to Schedule A dated March 6, 1943, shall manufacture such increase over his former Schedule A quota.

(i) Except to the extent that it exceeds the weight of all quantities of such item both specifically authorized pursuant to paragraph (c) (2) hereof as an increase in his quota, and authorized on any appeal granted him prior to March 6, 1943, and

(ii) Unless such producer certifies to the War Production Board within 15 days after such date that he intends to manufacture his total quota of all such items, including such increase, such certification

tion to be in substantially the following form:

The undersigned company hereby certifies that, except as indicated below, it intends to produce prior to September 30, 1943, its total quotas of all items listed on Schedule A of Order L-170, including all amendments and appeals, in accordance with paragraph (c) (4) of that order. Quantities of items within such quotas not intended to be so produced will be reported promptly in accordance with paragraph (c) (3) thereof.

By ----- Company -----
Date -----

(d) *General restrictions on production for export*—(1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-3, B-4 and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To any foreign country listed respectively on Schedule B-2 and B-5, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of that quantity obtained by multiplying the quota percentage designated on the applicable Schedule for such country by one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 to that country;

(iii) To Canada a quantity by units of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940; or

(iv) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations spe-

cific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production*—(1) *Restrictions on production for specific periods*. The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel*. No person shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes) to make any of the following items:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders.	Milk stools.
Cattle stalls.	Neck yokes.
Corn cribs.	Poultry feeders.
Doubletrees.	Singletrees.
Farm gates.	Stanchions.
Grain bins.	Stock pens.
Grit boxes.	Thills.
Guide handles.	Tongues.
Hobbles (all types).	Weaners.

Provided, however, That nothing in this subparagraph (e) (2) shall be deemed to prevent the manufacture or processing of cattle stalls, stanchions or stock pens solely from rerolled rail steel plus strapping and essential hardware.

(f) *Overproduction under Order L-26*. Any items of farm machinery and equipment or attachments and repair parts

which have been manufactured and/or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M-208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder) and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated

and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(4) The restrictions of this Order L-170 shall not apply to the manufacture by any person of any of the following items of farm machinery and equipment:

- Bee hives.
- Farm gates.
- Feed trucks.
- Grit boxes.
- Hog troughs.
- Laying nests.
- Livestock feeders.
- Milk stools.
- Poultry feeders.
- Poultry waterers (other than those made from iron and steel).

Provided, however, That such items are made entirely (except for nails and essential strappings and fastenings) from any one or more of the following materials:

- Glass or other ceramic products.
- Plain concrete.
- Fibre board.
- Wood fibre products.
- Plywood (produced with binder or adhesive not restricted by conservation order M-25 or any other applicable M or L order).
- Gum and other hardwood lumber.
- Softwood lumber (subject to the restrictions of conservation order M-208 or any other applicable M or L order).

(5) Any producer of any of the following items listed in Group 17 of Schedule A:

- Feed carriers.
- Litter carriers.
- Truck for feed and litter carriers.
- Hay carriers.
- Truck for hay carriers.
- Cattle stalls and fittings.
- Cattle stanchions and fittings.

may consider not more than 30% of his base production of each such item as "repair parts" rather than "farm machinery and equipment". The value of such 30% may be added to his total repair parts quota established pursuant to paragraph (c) (1) (ii) hereof, and should be so reported on such forms as are filed pursuant to paragraph (m) hereof. His production quota for the remaining 70% shall be determined by multiplying his applicable Schedule A quota percentage for the particular item by 70% of his base production thereof.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from the Director General for Operations.

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be

used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A-9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall,

upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD-629.

(3) Each producer shall file by the 10th day of each month a report on Form PD-630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD-387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B-1, B-2, B-3, B-4, B-5, B-6, and B-7).

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L-170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L-26, and Supplementary Limitation Orders L-26-a and L-26-d, and all amendments thereto and appeals granted thereunder.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[NOTE: Schedule A was amended in its entirety March 6, 1943]

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

Quotas for repair parts are determined according to the provisions of paragraph (c) (1) (ii). Quotas for new machinery and equipment including attachments are ex-

pressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket. Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L-170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)				
1	One row, one horse corn planters.....	0	0	44
2	One row, one horse corn and cotton planters.....	0	0	25
3	One row, two horse corn and cotton planters.....	0	0	0
4	Two row, corn planters.....	3	75	75
5	Two row, corn and cotton planters.....	0	0	19
6	Three row and over, corn planters.....	11	75	100
7	Three row and over, corn and cotton planters.....	0	0	0
DIVISION 2: PLANTERS (TRACTOR MOUNTED)				
8	One row, corn planters.....	0	0	0
9	One row, corn and cotton planters.....	0	0	0
10	Two row, corn planters.....	0	0	0
11	Two row, corn and cotton planters.....	0	0	0
12	Three row and over, corn planters.....	0	0	0
13	Three row and over, corn and cotton planters.....	0	0	0
DIVISION 3: POTATO PLANTERS				
14	Horse or tractor drawn.....	0	16	75
DIVISION 4: TRANSPLANTERS				
15	Horse or tractor drawn.....	0	0	34
16	Hand.....	0	0	0
DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)				
17	One row.....	0	0	0
18	Two row.....	8	75	100
19	Three row and over.....	0	0	0
DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)				
20	One row.....	19	19	19
21	Two row.....	0	0	0
22	Three row and over.....	0	0	0
DIVISION 7: BEET DRILLS				
23	Horse or tractor drawn.....	13	100	100
DIVISION 8: GRAIN DRILLS				
24	One horse, 3 or 5 disc drills.....	0	0	22
25	Fertilizer drills, horse or tractor drawn.....	3	75	75
26	Plain drills, horse or tractor drawn.....	0	0	0
DIVISION 9: BROADCAST SEEDERS				
27	Wheeled, horse or tractor.....	0	0	0
28	Endgate.....	0	32	75
29	Hand, wheelbarrow and other.....	0	0	8
DIVISION 10: GARDEN PLANTERS				
30	Hand.....	0	0	14
31	Horse or tractor drawn.....	0	57	100
DIVISION 11: FERTILIZER DISTRIBUTORS				
32	Horse or tractor drawn.....	0	0	15
DIVISION 12: LIME SPREADERS (SOWERS)				
33	Wheeled type, horse or tractor drawn.....	0	0	17
34	Endgate type.....	46	100	100
35	Truck body type.....	0	0	50

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
DIVISION 13: MANURE SPREADERS				
36	Four wheeled, horse or tractor drawn.....	0	19	87
37	Two wheeled, tractor drawn.....	0	0	0
DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY				
38	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)	0	0	25
39		0	0	25
40		0	0	25
DIVISION 15: ATTACHMENTS				
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
GROUP 2: PLOWS AND LISTERS				
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)				
42	Walking, one horse, steel bottom.....	0	0	11
43	Walking, one horse, chilled bottom.....	0	0	17
44	Walking, two horse and larger.....	0	0	48
45	Sulky.....	0	0	0
46	Gang, two bottom and larger.....	0	0	0
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)				
47	One bottom, tractor drawn.....	9	100	100
48	Two bottom, tractor drawn.....	0	0	0
49	Three bottom, tractor drawn.....	0	0	0
50	Four bottom, tractor drawn.....	0	0	0
51	Five bottom, and larger, tractor drawn.....	26	26	26
52	One bottom, tractor mounted.....	0	0	0
53	Two bottom, tractor mounted.....	0	0	0
DIVISION 3: DISC PLOWS (HORSE DRAWN)				
54	Single disc and larger.....	0	0	0
DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)				
55	One disc, tractor drawn.....	0	0	83
56	Two disc, tractor drawn.....	0	0	0
57	Three disc, tractor drawn.....	8	8	8
58	One disc, tractor mounted.....	0	0	0
59	Two disc, tractor mounted.....	0	0	0
60	Four disc, tractor drawn.....	0	0	0
61	Five disc, tractor drawn.....	0	0	0
62	Six disc and larger, tractor drawn.....	0	0	0
DIVISION 5: ONE WAY DISC PLOWS OR TILLERS				
63	One way plows.....	0	5	75
DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN)				
64	One row, horse or tractor drawn.....	0	0	19
65	Two row, horse or tractor drawn.....	0	0	0
66	Three row and larger, horse or tractor drawn.....	0	0	0
DIVISION 7: LISTERS (TRACTOR MOUNTED)				
67	One row, tractor mounted.....	18	18	18
68	Two row, tractor mounted.....	0	0	0
69	Three row and larger, tractor mounted.....	0	0	0

Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: FLOWS AND LISTERS—Continued

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 8: SUBSOIL FLOWS	Percent	Percent	Percent
70	Horse drawn.....	0	0	0
71	Tractor drawn.....	0	0	0
72	Tractor mounted.....	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks.....	0	0	22
	DIVISION 10: OTHER FLOWS AND LISTERS			
	(List each item separately)			
74	.....	0	0	34
75	.....	0	0	34
76	.....	0	0	34
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn.....	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn.....	0	0	100
80	Disc harrows, horse or tractor drawn.....	16	100	100
81	Disc harrows, tractor mounted.....	33	33	33
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers.....	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers.....	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters.....	0	0	50
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn.....	0	0	14
86	Ridge busters, tractor mounted.....	0	0	0
	DIVISION 6: OTHER HARROWS AND ROLLERS			
	(List each item separately)			
87	.....	0	0	30
88	.....	0	0	30
89	.....	0	0	30
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types.....	0	0	15
92	One row, walking, two horse.....	0	0	65
93	One row, riding, two horse.....	2	90	100
94	Two row and over, riding.....	0	0	0
95	Best cultivator.....	20	100	100
96	Field cultivator.....	0	0	62
96a	Field cultivator and tiller, tractor mounted.....	0	9	9
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment.....	0	0	35

* Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)	Percent	Percent	Percent
98	One row.....	40	40	40
99	Two row.....			
100	Three and four row.....			
101	Five row and over.....			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn.....	0	0	75
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn.....	0	0	55
104	Tooth weeders, horse or tractor drawn.....	0	0	98
104a	Tooth weeders, tractor mounted.....	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS			
	(List each item separately)			
105	.....	0	0	40
106	.....	0	0	40
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
	DIVISION 1: POWER SPRAYERS			
108	Power sprayers.....	0	0	85
109	Traction sprayers.....	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)			
110	Compressed air.....			
111	Knapsack self contained.....			
112	Trombone, pump type.....			
113	Bucket pump type, single cylinder.....			
114	Bucket pump type, double cylinder.....			
115	Atomizing, single action (1 qt. and larger cap.).....			
116	Atomizing, continuous (1 qt. and larger cap.).....			
	DIVISION 3: SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)			
117	Barrel pump type with complete equipment.....	0	0	26
118	Wheelbarrow type with complete equipment.....			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power.....	0	0	23
	DIVISION 5: WEED AND PEAR BURNERS			
120	Weed and pear burners.....	0	20	100
	DIVISION 6: DUSTERS			
121	Power dusters.....	0	0	55
122	Traction dusters.....	0	0	75
123	Hand dusters (agricultural only).....	0	18	100
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters.....	0	0	65
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 6: HARVESTING MACHINERY

Item	Class of producer	Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
DIVISION 1: COMBINES (HARVESTER THRESHERS)				
126	Width of cut, 6 feet and under.....	30	30	30
127	Width of cut, over 6 feet including 10 feet.....			
128	Width of cut, over 10 feet.....			
NOTE: Out of his total quota for combines, no Class "A" producer may manufacture items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.				
DIVISION 2: GRAIN AND RICE BINDERS				
129	Grain binders (ground drive).....	21	100	100
130	Grain binders (power take-off drive).....	43	75	75
131	Rice binders.....			
DIVISION 3: CORN BINDERS				
132	Corn binders (row binder) horse or tractor drawn.....	26	100	100
DIVISION 4: CORN PICKERS				
33	One row, mounted type.....	45	45	45
34	Two row, mounted type.....			
135	One row, pull type.....	45	100	100
136	Two row, pull type.....			
DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)				
137	Field ensilage harvesters, row type.....	14	75	75
DIVISION 6: POTATO DIGGERS				
138	Walking plow type.....	0	0	52
139	Horse or tractor.....	0	0	42
DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)				
140	Horse or tractor, row type.....	0	0	71
DIVISION 8: BEET LIFTERS				
141	Horse or tractor.....	32	100	100
DIVISION 9: OTHER HARVESTING MACHINERY				
Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately).				
142		0	0	51
143		0	0	51
144		0	0	51
DIVISION 10: ATTACHMENTS				
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

146	Horse or tractor drawn (ground-drive).....	11	100	100
DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)				
147	Tractor mtd. or semi-mtd. (power take-off drive).....	36	36	36
DIVISION 3: RAKES				
148	Sulky, dump.....	17	100	100
149	Side delivery incl. comb. side rakes and tedders.....	27	100	100
150	Sweep.....	0	0	47
DIVISION 4: HAY LOADERS				
151	Hay loaders.....	18	100	100
DIVISION 5: STACKERS				
152	Stackers (stationary type).....	0	0	51
152a	Combination stacker-loaders.....	0	0	75

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 7: HAYING MACHINERY—Continued

Item	Class of producer	Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
153	Pick-up hay balers..... DIVISION 6: PICK-UP BALERS	0	45	75
	..... DIVISION 7: OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers (list each item separately):			
154	.....	0	0	41
155	.....	0	0	41
156	.....	0	0	41
	..... DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)				
158	Threshers, width of cylinder under 28 inches.....	0	0	48
159	Threshers, width of cylinder 28 inches and over.....			
DIVISION 2: STATIONARY PEA AND BEAN THRESHERS				
160	Stationary pea and bean threshers.....	0	0	41
DIVISION 3: PEANUT PICKERS				
161	Peanut pickers.....	0	0	75
DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)				
162	Ensilage cutters (silo fillers).....	0	0	92
DIVISION 5: FEED CUTTERS (HAND AND POWER)				
163	Feed cutters, hand and power.....	0	0	30
DIVISION 6: CORN SHELLERS				
164	Corn shellers, hand.....	0	0	48
165	Power corn shellers, spring (2, 4, 6, and 8 hole).....	0	0	0
166	Power corn shellers, cylinder (150 bu. & under).....	0	0	22
167	Power corn shellers, cylinder (over 150 bu.).....	15	100	100
DIVISION 7: CORN HUSKERS AND SHEREDDERS				
168	Combination corn husker-shredders.....	0	0	66
169	Corn huskers.....	0	0	66
170	Corn shredders.....	0	0	66
DIVISION 8: STATIONARY HAY BALERS				
171	Horse.....	0	0	0
172	Engine or belt power.....	0	0	75
DIVISION 9: FEED GRINDERS AND CRUSHERS				
173	Hand.....	0	0	65
174	Power, hour type.....	0	0	51
175	Hammer and roughage mills.....	0	38	100
DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)				
176	Cleaners and graders (corn and grain).....	0	0	12
DIVISION 11: POTATO SORTERS AND GRADERS				
177	Potato sorters and graders.....	0	0	44
DIVISION 12: MAPLE SIRUP EVAPORATORS				
178	Complete sets of pans, not including furnaces.....	0	0	63
179	Furnaces.....	0	0	20

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 11: ENGINES

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
	DIVISION 1: ENGINES (UNDER 1 H. P.)	0	0	0
108	Air cooled.....	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)	0	0	0
109	Air cooled.....	0	0	0
200	Water cooled.....	4	30	100
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)	0	0	0
201	Air cooled.....	0	0	0
202	Water cooled.....	24	24	100
203	Water cooled.....	0	0	0
	DIVISION 5: ATTACHMENTS	0	0	0
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

	DIVISION 1: WAGONS	0	0	73
205	Wagons, farm without boxes.....	0	0	73
	DIVISION 2: TRUCKS	0	0	0
206	Trucks, farm (not motortrucks).....	0	80	100
	DIVISION 3: WAGON BODIES	0	0	0
207	Wagon and truck boxes, farm.....	0	0	57
	DIVISION 4: FARM SLEIGHS	0	0	0
208	Sleighs and bob-sleds.....	0	0	25
	DIVISION 5: TRAILERS (FARM)	0	0	0
209	Trailers, farm.....	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT	0	0	0
	(Not motortrucks—list each item separately)	0	0	0
210	.....	0	0	25
211	.....	0	0	25
	DIVISION 7: ATTACHMENTS	0	0	0
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEM

	DIVISION 1: DEEP WELL	0	0	68
213	Deep well, reciprocating.....	0	0	68
214	Deep well jet pumps.....	0	0	34
	DIVISION 2: SHALLOW WELL	0	0	0
215	250-400 gals. per hour.....	0	0	53
216	500 gals. per hour and over.....	0	0	33

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Continued

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
	DIVISION 13: CANE SIBET EVAPORATORS	0	0	53
180	Complete sets of pans, not including furnaces.....	0	0	53
181	Furnaces.....	0	61	100
	DIVISION 14: CANE MILLS (FARM SIZE)	0	0	32
182	Cane mills (farm size).....	0	0	32
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES	0	0	23
183	Cider mills and fruit presses.....	0	0	23
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE	0	0	0
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)	0	0	0
184	.....	0	0	21
185	.....	0	0	21
186	.....	0	0	21
	DIVISION 17: ATTACHMENTS	0	0	0
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

	DIVISION 1: ELEVATORS (PORTABLE)	0	0	100
188	Elevators, portable.....	0	0	100
	DIVISION 2: ELEVATORS (STATIONARY)	0	0	35
189	Elevators, stationary.....	0	0	35
	DIVISION 3: BLOWERS (GRAIN AND FORAGE)	0	85	100
190	Blowers (grain and forage).....	0	85	100
	DIVISION 4: ATTACHMENTS	0	0	0
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 10: TRACTORS

	DIVISION 1: TRACTORS, WHEEL TYPE	25	25	25
192	Tractors, wheel, special purpose, under 30 h. p.....	25	25	25
193	Tractors, wheel, special purpose, 30 and over h. p.....	25	25	25
194	Tractors, wheel, all purpose, under 30 h. p.....	25	25	25
195	Tractors, wheel, all purpose, 30 and over h. p.....	25	25	25
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)	0	0	27
196	Garden tractors (including motor tillers).....	0	0	27
	DIVISION 3: ATTACHMENTS	0	0	0
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 13: DOMESTIC WATER SYSTEM—Continued

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
217	DIVISION 3: POWER PUMPS Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure.....	0	6	75
218	DIVISION 4: WATER WELL CASING Water well casing (fabricated by other than pipe mills).....	85	85	85
219	DIVISION 5: ATTACHMENTS Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
GROUP 14: FARM PUMPS AND WINDMILLS				
220	DIVISION 1: PUMPS, WATER Pitcher pumps.....	0	49	100
221	Hand and windmill pumps.....	0	48	100
222	DIVISION 2: WINDMILLS Windmill heads.....	0	38	100
223	Windmill towers.....	0	34	100
224	DIVISION 3: PUMP JACKS Pump jacks.....	0	0	76
225	DIVISION 4: (Deleted Jan. 19, 1943) (Deleted Jan. 19, 1943).....			
226	DIVISION 5: ATTACHMENTS Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

227	DIVISION 1: IRRIGATION PUMPS Turbine pumps, 0 to 1,200 G. P. M.....	0	0	31
228	Turbine pumps 1,200 G. P. M. and up, belt driven.....	0	0	13
229	Centrifugal pumps.....	0	0	26
230	Hydraulic rams.....	0	0	49
231	DIVISION 2: DISTRIBUTION EQUIPMENT Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).....	0	0	33
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds.....	0	0	57
233	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT (List each item separately).....	0	0	18
234	.....	0	0	18
235	.....	0	0	18
236	DIVISION 4: ATTACHMENTS Attachments for all items in Group 15 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Item		Class of producer		
		"A"	"B"	"C"
		Percent	Percent	Percent
227	DIVISION 1: MILKING MACHINES Milk machines.....	0	32	75
228	DIVISION 2: FARM CREAM SEPARATORS Farm cream separators, capacity 250 lbs. per hr. or less.....	0	7	100
229	DIVISION 3: FARM CREAM SEPARATORS Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.....	7	75	75
240	DIVISION 4: FARM CREAM SEPARATORS Farm cream separators, capacity 801 lbs. to 1,500 lbs. per hour.....	0	0	0
241	DIVISION 5: FARM MILK COOLERS Immersion type.....	0	0	71
242	Surface or tubular type.....	0	0	65
243	DIVISION 6: FARM BUTTER MAKING EQUIPMENT Butter churns (See Paragraph (e) (2) of L-170).....	0	0	23
244	Butter molds (See Paragraph (e) (2) of L-170).....			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately.).....			
245	Milk pails.....	75	75	75
246	Milk strainers.....	40	40	40
247	.....		
248	.....		
249	DIVISION 8: ATTACHMENTS Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT

250	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS Feed carriers (See Para. (g) (5) of L-170).....	0	0	35
251	Litter carriers (See Para. (g) (5) of L-170).....	0	0	25
252	Track for feed & litter carriers (See Para. (g) (5) of L-170).....	0	0	100
253	Deleted Feb. 12, 1943.....			
254	DIVISION 2: HAY UNLOADING EQUIPMENT Hay carriers (See Para. (g) (5) of L-170).....	0	0	72
255	Track for hay carriers (See Para. (g) (5) of L-170).....	0	0	100
256	Hay forks, harpoon and grapple.....	0	0	56
257	Pulleys and fittings.....	0	0	92
258	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT Cattle stalls and fittings (See Para. (e) (2) and (g) (5) of L-170).....	0	8	75
259	Livestock pens (See Para. (e) (2) of L-170).....	0	27	75
260	DIVISION 4: CATTLE STANCHIONS Cattle stanchions and fittings (See Para. (e) (2) and (g) (5) of L-170).....	0	0	59
261	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS Livestock drinking cups.....	0	36	100
262	Outside livestock watering bowls.....	0	0	65

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item	Class of producer	Class of producer		
		"A"	"B"	"C"
DIVISION 8: OTHER FARM POULTRY EQUIPMENT				
Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)				
290	Leg bands.....	Percent 100	Percent 100	Percent 100
291		50	50	50
292				
DIVISION 9: ATTACHMENTS				
293	Attachments for all items in Group is expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
GROUP 19: MISCELLANEOUS FARM EQUIPMENT				
DIVISION 1: BEEKEEPERS' SUPPLIES				
294	Beekeepers' supplies (except bee hives).....	100	100	100
295	Deleted February 12, 1943.....	--	--	--
DIVISION 2: SILOS				
296	Silos (total weight of iron and steel) (NOTE: Number of units limited to 1940 or 1941 production, whichever was greater.)	0	0	40
DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)				
297	Horse shoes (including mule shoes) (NOTE: Calks and nails are considered as repairs.)	0	100	100
DIVISION 4: HARNESS HARDWARE				
298	Harness hardware.....	31	31	31
DIVISION 5: POWER SHEEP SHEARING MACHINES				
299	Power sheep shearing machines.....	100	100	100
DIVISION 6: ELECTRIC FENCE CONTROLLERS				
300	Electric fence controllers.....	0	0	70
301	Electric fence accessories.....			
DIVISION 7: DELETED FEBRUARY 12, 1943				
302 thru 308 inc.	Deleted February 12, 1943.....			
DIVISION 8: FARM WOOD-SAWING MACHINES				
309	Farm wood-sawing machines.....	0	0	16
DIVISION 9: FARM GATES				
310	Deleted February 12, 1943.....			
DIVISION 10: FARM LIGHTING PLANTS				
311	Farm lighting plants.....	0	0	0
DIVISION 11: ATTACHMENTS				
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT—Continued

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 6: BARNYARD STOCK TANKS				
263	Barnyard stock tanks (See Para. (e) of L-170)	Percent 100	Percent 100	Percent 100
264	Deleted Feb. 12, 1943			
DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS				
265	Deleted Feb. 12, 1943			
266	Feed cookers	0	0	50
267	Tank heaters	0	0	37
DIVISION 8: BARN DOOR TRACK AND HANGERS				
268	Barn door track	0	9	100
269	Barn door hangers			
DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT				
Including but not limited to ventilating equipment, livestock dipping tanks, hog washers, dairy scales, cattle and horse clippers, and bull stiffs. (List each item separately.)				
270	Hog washers	80	80	80
271	Hog rings	125	125	125
272	Livestock identification tags	75	75	75
273		30	30	30
274				
275				
DIVISION 10: ATTACHMENTS				
273	Attachments for all items in Group 17 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
GROUP 18: FARM POULTRY EQUIPMENT				
DIVISION 1: INCUBATORS				
274	Incubators, 1,000-egg capacity and smaller	0	0	52
275	Incubators, over 1,000-egg capacity	0	0	36
DIVISION 2: FLOOR BROODERS				
276	Oil	0	8	100
277	Coal	100	100	100
278	Gas	0	0	71
279	Wood	137	137	137
280	Electric	0	9	100
DIVISION 3: BATTERY BROODERS (HEATED)				
281	Three deck and smaller (heated)	0	0	36
282	Four deck (heated)	0	0	78
283	Five deck (heated)	0	0	75
DIVISION 4: GROWING AND LAYING BATTERIES				
284	Growing	0	0	43
285	Laying	0	0	0
DIVISION 5: POULTRY FEEDERS				
286	Deleted February 12, 1943			
DIVISION 6: POULTRY WATERERS				
287	Poultry waterers (iron and steel only)	100	100	100
DIVISION 7: LAYING NESTS AND GRIT BOXES				
288	Deleted February 12, 1943			
289	Deleted February 12, 1943			
Percentage quota is the same as that listed in the proper column for the machine with which the attachment is				

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

[NOTE: The heading of this Schedule was amended March 6, 1943]

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

(Quotas shown are expressed as a percentage of one-half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain Scotland
Northern Ireland Wales

Schedule B-2

Country:	Quota percentage
Australia	180
Union of South Africa	90
Egypt and Sudan	65
British India	65
Palestine	118
Liberia	118
Iran	118
Turkey	10
French Oceania and Free French Areas thereof	118
British East Africa	118
Other British West Africa	118
New Zealand	170
No. & So. Rhodesia	90
Gold Coast	118
Arabia	118
U. S. S. R.	118
Mauritius	10
Belgian Congo	118
Madagascar	118
French Cameroun	118
Ethiopia	118
Syria	118
Gozo	10
Ceylon	118
Nigeria	118
Iraq	118
China	10
Iceland	300
British Oceania	118
Cyprus	118
Malta	118
Falkland Islands	118

* Subject to appeal under paragraph (o).

Schedule B-3

Quota Percentage=39%

Argentina	Haiti
Chile	Nicaragua
Dominican Republic	Peru
Guatemala	Venezuela
Mexico	Brazil
Paraguay	Costa Rica
Uruguay	Ecuador
Bolivia	Honduras
Colombia	Panama Republic
Cuba	Salvador

Schedule B-4

Quota Percentage=61%

Mozambique	Angola
Portugal	Labrador
Switzerland	French West Indies
Newfoundland	Sweden
Elre	Greenland
Spain	

Schedule B-5

Country:	Quota percentage
British Gulana	70
Bermuda	70
Barbados	70

Country—Continued.

Trinidad	70
Surinam	70
Jamaica	70
Curacao	70
British Honduras	70
Other British West Indies	70

Schedule B-6

Quota Percentage=37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B-7

[NOTE: The heading of this Schedule was amended March 6, 1943]

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

Group I—Seeding and Fertilizing Machinery:	Quota percentage
Grain Drill (Plain)	23
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder	0
Tractor Grain Binder	0
Corn Binder	25
Combine—Reaper, Thresher	33
Swather	20
Stationary Thresher	0
Potato Digger	25
Corn Sheller	25
Corn Picker (150 units Mgr. designated later)	25
Other Harvesting Equipment, including Beet Lifters	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper	50
Ensilage Cutter	35
Hammer Mill	7
Grain Loader or Elevator	25
Group VII—Farm Power:	
Wheel Tractor	24
Stationary Engine	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Farm Truck	60

Group IX—Dairy Equipment:

Milking Machine Complete	100
Cream Separator	84
Churn	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster	50
Sprayer Pump	54
Group XI—Domestic Water System:	
Well or Cistern Pump	50
Pump Jack	50
Windmill Head	50
Domestic Water Pressure System	25
Group XII—Barn and Barnyard Equipment:	0
Group XIII—Miscellaneous Equipment:	
Incubator	40
Brooder (Floor Type)	40
Wheel Barrow (Wood Only)	53
Sheep Shearers and Animal Clippers	239
Attachments and Repair Parts	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 Limitation Order L-170, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L-170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L-170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L-26 for the period ending October 31, 1942, are not recognized for the period covered by Order L-170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L-26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43-3566; Filed, March 6, 1943; 11:30 a. m.]

PART 1193—COTTON FABRIC PRODUCTION

[Limitation Order L-99 as Amended March 6, 1943]

1. Part 1193 (formerly "Bag Osnaburg and Bag Sheetings") is amended to read "Cotton Fabric Production".

2. Section 1193.1 *Limitation Order L-99* is amended to read as follows:

§ 1193.1 *Limitation Order L-99*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Operation of looms producing cotton fabrics.* Unless specifically authorized by the Director General for Operations, no person who on January 2, 1943, or thereafter, operated looms or had looms assigned to operate upon the constructions of cotton fabrics listed in column 1 shall operate such looms except in accordance with the following requirements:

(1) The percentages stated in Column 2 of the looms operating on or assigned to the constructions listed in Column 1 may produce only the constructions specified in Column 3.

(2) The restrictions of paragraph (b) (1) shall be effective on the dates specified in Column 4.

1	2	3	4
Looms producing or assigned to produce the constructions listed below on January 2, 1943, or thereafter, and which may produce only the constructions specified in Column 3.	Percentages of looms referred to in Column 1 to produce constructions specified in Column 3.	Constructions to be produced by looms specified in Column 1.	Effective dates.
Osnaburgs (Constructions designated in lines 1 through 7 of Form WPB 658-B (12-31-42)).	100%-----	40" 40/28 2.05 yd. 36" 40/28 7 oz. 36" 32/28 2.85 yd. 36" 24 to 26 sley, 16 to 20 pick 3.30 yd. 40" 32/28 3.55 yd. 30" 40/30 7 oz. pro rata widths of like count and weight.	Apr. 20, 1943
Class A Sheetings (Constructions designated in lines 12 through 15 of Form WPB 658-B (12-31-42)).	100%-----	36" 48/44 2.85 yd. 40" 48/44 2.85 yd. 40" 48/44 2.50 yd. pro rata widths of like count and weight.	April 20, 1943
Class B Sheetings (Constructions designated in lines 16 through 21 of Form WPB 658-B (12-31-42)).	100%-----	40" 48/40 3.25 yd. 40" 48/40 3.75 yd. 37" 48/44 4.00 yd. 40" 44/40 4.25 yd. 31" 48/44 5.00 yd. pro rata widths of like count and weight.	Apr. 20, 1943
Class C Sheetings (Constructions designated in lines 22 through 33 of Form WPB 658-B (12-31-42)).	100%-----	36" 64/64 3.50 yd. 36" 60/52 or 56/56 4.00 yd. 36" 48/40 or 44/40 5.50 yd. 36" 44/40 or 40/40 6.05 to 6.15 yd. 40" 64/64 3.15 yd. 40" 60/52 or 56/56 3.60 yd. 40" 44/40 5.50 yd. 40" 56/48 4.30 yd. 40" 36/40 5.55 yd. pro rata widths of like count and weight. Bandoleer and Navy Mattress Cover Sheet in lowest pickage consistent with specifications.	Apr. 20, 1943
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75 and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	50%-----	39" 80 x 80 4.00 yd. pro rata widths of like count and weight.	
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	25%-----	39" 68 x 64 4.85 yd. pro rata widths of like count and weight.	June 4, 1943
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	25%-----	38 1/2" 64 x 56 5.50 yd. pro rata widths of like count and weight.	June 4, 1943
39" 68 x 72 4.75 yd Print Cloth (Constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%-----	39" 68 x 64 4.85 yd. pro rata widths of like count and weight.	Apr. 20, 1943
38 1/2" 64 x 60 5.35 yd Print Cloth (Constructions designated in line 77, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%-----	38 1/2" 64 x 56 5.50 yd. pro rata widths of like count and weight.	Apr. 20, 1943
38 1/2" 60 x 48 6.25 yd Print Cloth (Constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%-----	38 1/2" 60 x 48 6.25 yd. pro rata widths of like count and weight.	

(c) *Exceptions.* (1) Any authorization pursuant to an appeal granted prior to March 6, 1943 may be carried out in accordance with the terms of the authorization.

(2) The restrictions of paragraph (b) shall not require the manufacture of any construction of higher pick than specified in column 1 of said paragraph, unless the Director General for Operations

hereafter specifically so directs. Any person affected by this paragraph (c) (2) shall immediately report such fact to the War Production Board.

(3) Any loom which on March 6, 1943 was operating to meet specifications for the production of fabric under an unfilled contract or sub-contract for delivery of such fabric to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, may continue such operation to the extent necessary to fill such contract or sub-contract prior to July 1, 1943.

(d) *Distribution of osnaburgs, Class A and Class B sheetings.* No manufacturer of osnaburgs, Class A or Class B sheetings shall sell or deliver such fabric, (other than irregulars, seconds or cuts under 40 yards in length up to a combined total not exceeding six (6%) per cent of the manufacturer's production of osnaburgs, Class A and Class B sheetings) except to fill defense orders or as specifically authorized by the Director General for Operations.

(e) *Reports and records.* All persons operating looms on the production of cotton textile fabrics shall file with the War Production Board quarterly production reports on Form WPB 658-A, B, C, D and E, and other reports as may hereafter be required. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref., L-99.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3565; Filed March 6, 1943; 11:30 a. m.]

PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-180 as Amended March 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3034.1 *Limitation Order L-180—(a) Certain orders hereby superseded.* This order, Limitation Order L-180, supersedes Supplementary Limitation Order L-4-b, issued April 25, 1942, and Limitation Order L-35, issued January 22, 1942, as amended.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or contracts placed with them for other materials on ratings lower than A-2.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the

transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the

owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM		SAE	Minimum ampere hour capacity 20 hour rate 80° F.
Group	Group		
I.....	IM.....		80
II.....	IH.....		90
III.....	IS.....		100
IV.....	IS.....		90
(E-116) (IIE-125).....	2L.....		100
IHF (Ford).....	2MB.....		110
(II-115).....	(2M-105) (2H-116).....		100
IIS.....	3L.....		110
III.....	3M (3H-133).....		120
	(Special 12 Volt)		45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Mini- mum	Maxi- mum		Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum
For batteries with double insulation									
Size A.....	155	165	6	16	16½	7¼	7¾	9¼	11
Size B.....	195	220	6	19½	20½	7¼	7¾	9¼	11
Size C.....	235	245	6	22½	23½	7¼	7¾	9¼	11
Size D.....	385	395	6	21½	22	10¾	10¾	12	12½
Size E.....	95	105	12	17½	18	7¼	8	9¼	11
Size F.....	95	105	12	19½	21½	7¼	7¾	9¼	11
Size G.....	115	125	12	20½	21½	8¾	9	9¼	11
Size H.....	135	145	12	20½	21½	9	10	9¼	11
Size I.....	155	165	12	20½	21½	10¾	11¾	9¼	11
For batteries with single insulation									
Size J.....	195	205	6	16	16½	6¾	7¼	9	10¾
Size K.....	335	345	6	25	25½	7¼	7¾	9¼	11¼
Size L.....	140	155	12	20½	21½	8¾	9	9¼	11
Size M.....	150	170	12	20½	21½	9	10	9¼	11
Size N.....	180	205	12	20½	21½	10¾	11¾	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in subparagraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, provided:

(i) No additional material is required; (ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in subparagraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) No producer shall, during any calendar quarter of 1943, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1943 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1943:	Percentage of 1941 sales
January 1 to March 31.....	22½
April 1 to June 30.....	22½
July 1 to September 30.....	30
October 1 to December 31.....	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1943 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter provided that this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1943 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next

succeeding calendar quarter of 1943;

And Provided further, That in no event shall any producer manufacture during the calendar year 1943 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.* (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) *General restrictions.*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement batteries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

Certificate of Compliance with Order L-180

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L-180, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation
By _____
Title of individual
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is

forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

[Certificate amended March 6, 1943.]

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will, within thirty days after receiving the replacement battery here ordered, dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) _____
Vehicle Owner or Operator
Address _____

Date _____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(4) *Electric fence user's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly been operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer, for each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate, to be supplied by the producer or distributor, in the following form:

Electric Fence or Farm Equipment User's Certificate

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) _____
Purchaser
Address _____

Date _____

(i) *General restrictions on inventories.* (1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination

with his existing inventory will aggregate more than a ninety (90) day supply. In any month a ninety (90) day supply means the aggregate number of replacement batteries and rebuilt batteries sold during the corresponding month in 1942 plus the number sold in the next two (2) succeeding months in 1942.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(3) The provisions of this paragraph (i) shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Puerto Rico or the Virgin Islands.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

On or before February 15, 1943, each producer shall file with the Automotive Division of the War Production Board, Form PD-766 reporting total shipments of automotive replacement storage batteries for the years 1941 and 1942. On or before the 15th day of April, July, and October, 1943 and the 15th day of January 1944, each producer shall file Form

PD-765 reporting its shipments of automotive replacement storage batteries during the preceding calendar quarter.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Division, Ref: L-180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3567; Filed March 6, 1943; 11:30 a. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M-216-b]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of new passenger automobiles and commercial motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3062.3 *Conservation Order M-216-b—*
(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered to a consumer under the rationing procedures of the War Production Board or the

Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons, throughout the continental United States:

(i) *Reserve new passenger automobiles.* Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, including taxis, but not including ambulances, hearses and station wagons.

(ii) *Reserve new commercial motor vehicle.* Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, (or any chassis on which a bus body is to be mounted), and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Standard equipment" means equipment stated to be standard equipment by the manufacturer as of October 15, 1941.

(3) "Producer" means any person who manufactures or has in the past manufactured any reserve vehicles, including body builders, and who now or hereafter has any such reserve vehicles in his possession or under his control.

(4) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(5) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(6) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(7) "Finance agency" means any person regularly engaged in the business of financing or making loans on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or claim against any such reserve vehicle as security for a loan or other financing arrangement.

(8) "Consumer" means a person who accepts delivery of a reserve vehicle to be put into operation.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(c) *Restrictions on rebuilding reserve new passenger automobiles and removing of equipment.* (1) No person shall convert any reserve new passenger automo-

hile to any other model or type of conveyance except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(2) No person shall remove from any reserve new passenger automobile any standard equipment, or shall remove any other part or accessory the removal of which will impair the operating efficiency of such vehicle, except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(d) *Restrictions on removing equipment from reserve new commercial motor vehicles.* No person shall remove from any reserve new commercial motor vehicle any standard equipment, or shall remove any other part or accessory the removal of which will impair the operating efficiency of such vehicle.

(e) *Exceptions as to removal of batteries and tires.* The provisions of paragraphs (c) and (d) above shall not be taken to prohibit the removal from any reserve vehicle of:

(1) An electric storage battery: *Provided, however,* That when the vehicle from which the battery has been removed is delivered to a consumer, the same battery or a new battery of at least equal quality and capacity and in first class condition shall be installed by the person making delivery of the vehicle.

(i) Any battery so removed need not be considered as part of the battery inventory of the sales agency as the same is defined in Limitation Order L-180, as amended.

(2) Rubber tires, casings or tubes: *Provided, however,* That the removal is made for storage or in exchange for rubber tires, casings or tubes upon authorization pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration. When the vehicle from which tires, casings and tubes have been removed is delivered to a consumer tires, casings and tubes shall be replaced on the vehicle by the person making delivery unless such person has been authorized pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration to mount other tires, casings and tubes on such vehicle.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to

the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Reference: Order M-216-b.

Issued this 6th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3568; Filed March 6, 1943; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 2 to Suspension Order S-129]

C. W. SAUNDERS

Paragraph (c) of § 1010.129 *Suspension Order No. S-129*, issued October 31, 1942 and amended December 16, 1942, is hereby amended to read as follows:

(c) Except as specifically authorized by the Director General for Operations, neither C. W. Saunders nor any other person shall order, purchase, accept delivery of, withdraw from inventory or secure in any other manner, or use any material or construction plant in order to continue or complete construction of any of the houses at the following locations: 721 and 725 West Manchester Boulevard, Inglewood, California; 1018 East 66th Street, Inglewood, California; 1211-1221 West Burbank Boulevard, Burbank, California; 4810 West 98th Street, Inglewood, California; 933-945 Fir Avenue, Inglewood, California; 4805 West 104th Street, Lennox, California; 4519 and 4521 West 104th Street, and 10334 Mansel Avenue, Lennox District, California; 10016 and 10020 Inglewood Avenue, Lennox, California; 1508 South Bronson Avenue, Los Angeles, California.

Issued this 6th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3607; Filed, March 6, 1943; 4:57 p. m.]

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[General Preference Order E-1-b, as Amended March 8, 1943]

General Preference Order E-1-b (§ 997.2) is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 997.2 *General Preference Order E-1-b—(a) Definitions.* For the purposes of this order:

(1) "Machine tool" means any non-portable, power driven metal working machine listed on Exhibit A hereto attached, excluding any light power driven

tool defined in Limitation Order L-237, having a list price on October 15, 1942, of \$350 or less.

The term "machine" as used in this order means a machine tool. Each machine tool includes not only the basic machine but also all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the machine to make it usable in production for the purposes intended, but does not include any replacements, or spare parts or equipment, or extra tooling, ordered by the purchaser.

(2) "Producer" means any individual, partnership, association, corporation or other form of enterprise engaged in producing machine tools.

(3) "Service purchasers" means those whose preference rating certificates show that the preference rating applied to such delivery was assigned thereto by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, by a Preference Rating Order P-19-h, and also those whose purchase orders show that they are direct purchase orders for machine tools placed by the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, rated in accordance with procedures authorized for them to use in place and stead of using Form PD-3A: *Provided,* That such purchase orders call for delivery to a Supply Arm or Bureau of the Army or Navy or to the United States Maritime Commission, or to one of their prime contractors, or to a subcontractor of such a prime contractor.

(4) "Foreign purchasers" means those whose purchase orders show that the machine is to be delivered to or for the account of a foreign country, other than Canada, or a subdivision, agency, or instrumentality thereof.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, whose purchase orders have been assigned a preference rating of A-10 or higher. Other purchasers include Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(6) "Class" when used herein means one of the foregoing three classes of purchasers: namely, service purchasers, foreign purchasers, or other purchasers.

(7) "Size" may include all of those dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall remain the same as heretofore used by each producer unless he is specifically permitted or directed to use a different classification by the Director General for Operations. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref: E-1-b.

(b) *Delivery of machine tools until May 1, 1943.* Notwithstanding any other provisions of this order, schedules of production and delivery of machine tools to be delivered prior to May 1, 1943, shall be maintained as now established subject only to schedule changes hereafter ordered by diversion orders or by other

specific direction from the Director General for Operations. After May 1, 1943 the preferences heretofore accorded to the Air Services and other Preferred Customers by Amendment 3 to General Preference Order E-1-b, issued November 5, 1942, shall no longer remain in effect but every producer shall schedule his production and deliveries according to the provisions of this order.

(c) *Allocation of production to service purchasers and to foreign purchasers and other purchasers.* (1) Except as provided in subparagraphs (2), (3) and (4) of this paragraph (c), each producer shall schedule his production for each calendar month so as to deliver 75 percent of his production of each size of each type of machine which he produces in that month to service purchasers, and each producer shall schedule his production for each calendar month so as to deliver 25 percent of his production of each size of each type of machine which he produces in that month, in the aggregate, to foreign purchasers and other purchasers.

(2) A producer may schedule for delivery to service purchasers more than 75 percent of his production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from foreign purchasers and from other purchasers for machines of such size and type prior to March 1, 1943.

(3) A producer may likewise schedule for delivery to foreign purchasers and other purchasers more than 25 percent of such production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from service purchasers for machines of such size and type prior to March 1, 1943.

(4) Similarly, a producer may schedule deliveries to service purchasers in excess of 75 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from foreign purchasers and other purchasers prior to June 1, 1943, and he may schedule deliveries to foreign purchasers and other purchasers in excess of 25 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from service purchasers prior to June 1, 1943.

(5) In preparing his schedules of deliveries for a given month a producer shall fix the dates of his deliveries to service purchasers, to foreign purchasers, and to other purchasers within such month so that each class will receive its quota of machines equitably in point of time within the month.

(d) *Distribution of 75 percent of production among service purchasers.* Deliveries of 75 percent of each producer's production shall be scheduled among service purchasers as follows:

(1) Service purchasers are hereby subdivided into seven groups, consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and

Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, together with any other corps, department, bureau or service of the Army or Navy not heretofore specifically designated as a separate group, and their respective prime contractors and subcontractors.

(2) (i) Each producer shall determine the number of purchase orders on his books for each size of a given type of machine from each of the seven service purchaser groups as of March 1, 1943 or, at the producer's option, the nearest date within ten days prior or subsequent to March 1, 1943 on which the producer may have compiled his record of orders.

No order shall be deemed a purchase order placed on a producer's book unless the purchaser has placed a firm order accompanied by specifications or other description of the machine in sufficient detail to enable the producer to place the machine in his production schedule, together with such priority information as is required for scheduling by paragraph (g) of this order.

(ii) He shall then deduct from such respective numbers for each service group the number of machines of such size and type which he estimates he will deliver to purchasers in such service group during the month of March 1943. He shall not deduct deliveries scheduled to be made during April 1943. The figure resulting from such deduction shall be termed the "net backlog" of each such service group.

(iii) He shall then distribute the number of machines of such size and type allocated in each of the months of May, June and July 1943 to all service purchasers pursuant to paragraph (c) (1) among each of the seven service purchaser groups according to each group's quota. The quota for each service group of such size and type shall be the ratio of

(a) Net backlog of such service group of such size and type to

(b) The total of all net backlogs of such size and type of all the service groups,

multiplied by the total number of machines of such size and type allocated for that month to all service purchasers. An example of the calculation required by this paragraph (d) (2) is attached to this order, marked "Illustration of paragraph (d) (2)."

(3) Quotas for each service group for August, September and October 1943 shall be determined in the same manner as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of June 1, 1943 after deducting therefrom the number of machines which the producer esti-

mates he will deliver to service purchasers in each group during both the months of June and July 1943.

Similarly, quotas for each service group for November and December 1943 and January 1944 shall be determined in the same manner as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of September 1, 1943 after deducting therefrom the number of machines which the producer estimates he will deliver to service purchasers in each group during both the months of September and October 1943.

(4) Commencing with May 1943, and each month thereafter, the producer shall deliver to each service group the number of machines of that size and type equal to its quota for that month, to the extent that he has orders from purchasers in such group requiring delivery in the month being scheduled.

(5) No producer shall schedule delivery of any machine tool manufactured by him earlier than the date on which the purchaser requires delivery thereof, unless all required delivery dates on other purchase orders are being met.

If a producer does not have on hand on March 1, 1943 rated purchase orders from a particular service group requiring delivery in any of the months of May, June or July 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

Similarly, if a producer does not have on hand on June 1, 1943 rated purchase orders from a particular service group calling for delivery in any of the months of August, September or October 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

(6) A purchase order which has been scheduled as provided in paragraph (d) (5) of this order shall represent an addition to the quota of the group of which the purchaser in question is a member and such purchase order shall not thereafter be affected by receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(7) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its quota of machines equitably in point of time within the month.

(e) *Distribution of 25 percent of machine tools among foreign purchasers and other purchasers.* Foreign purchasers and other purchasers shall be treated as one group, and each producer shall schedule his orders for each size of each type for delivery each month within such group's aggregate 25 percent of production for that month, in accordance with the sequence of deliveries determined as hereinafter specified in paragraph (h), subject, however, to the order of the Director General for Operations freezing delivery schedules to foreign and

other purchasers until July 1, 1943, contained in letter of January 30, 1943, which order remains in full force and effect.

(f) *Treatment of fractions.* Where the number of machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine to which such fractions can apply, such machine shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(g) *Necessity for preference ratings.* (1) No purchase order for any machine tool shall be placed in production schedules, and no machine tool shall be sold or delivered, whether by a producer or distributor, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3 or PD-3A, by a Preference Rating Certificate in the PD-408 or PD-311 series, by a Preference Rating Order P-19-h, or by a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, endorsed according to procedures authorized for them to use in place and instead of using Form PD-3A. In placing the endorsement required by Priorities Regulation No. 3 on the purchase order there must also be included therein or set forth in a separate endorsement on the purchase order:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the machine;

(iii) A statement as to whether the purchaser is a "service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, the name of the prime contractor;

(v) In the case of foreign purchasers, the foreign country for which the machine is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the machine is to be used.

In addition to making the endorsement upon his purchase order as required, any person placing such an order shall furnish to the producer a photostatic copy (or another copy accompanied by his signed statement that it is a true copy) of the preference Rating Certificate PD-1A, PD-3, PD-3A, PD-

408, PD-311 or Preference Rating Order P-19-h: *Provided*, That where the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau has issued its direct purchase order for a machine tool and rated the same in accordance with procedures authorized for them to use in place and instead of issuing Form PD-3A, no copy of any preference rating certificate shall be required.

Reproduction of any of the foregoing preference rating certificates or orders for the foregoing purposes is hereby permitted.

(h) *Operation of Numerical Master Preference List, and preference ratings.*

(1) The Numerical Master Preference List, Exhibit B attached to this order, herein called "the list," shall determine the sequence of deliveries as between service purchasers as hereinafter set forth, but shall have no effect upon foreign purchasers or other purchasers.

(2) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined without regard to preference ratings as follows:

(i) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list.

(ii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, both on the list, deliveries shall be made according to their respective urgency standings specified on such list. The highest urgency standing in each group is No. 1.

(iii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, neither of whom is on the list, the sequence of deliveries shall be determined by the respective dates on which the producer receives the photostatic or certified copy of the preference rating certificate, or if a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau rated by them in accordance with procedures authorized for them to use instead and in place of using Form PD-3A, the order properly endorsed under such procedure.

The delivery for which such copy of the certificate or properly endorsed order was first received takes precedence.

(iv) A delivery to a subcontractor who is not specifically named on the list shall take the urgency standing of his prime contractor; the urgency standing of the prime contractor must be endorsed in writing on the subcontractor's preference rating certificate by an officer designated for such purpose by the supply arm or bureau concerned.

(v) In the event that the urgency standing shown on the copy of the preference rating certificate differs from the urgency standing shown for the contract in question on the Numerical Master Preference List, Revision No. 5, the latter shall govern.

(3) The sequence of deliveries among foreign purchasers and other purchasers

within the portion of production allocated to such purchasers shall be determined as follows:

(i) As between deliveries which have conflicting required delivery dates and which bear different preference ratings, delivery shall be made according to the preference ratings of the respective purchasers.

(ii) As between deliveries which have conflicting required delivery dates and which bear the same preference rating, the sequence of deliveries shall be determined by the respective dates on which the producer received the photostatic or certified copy of the preference rating certificate. The delivery for which the preference rating certificate was first received takes precedence.

(i) *Additions to list.* Additions to, withdrawals from, and other changes may be made in the Numerical Master Preference List from time to time by the Director General for Operations or such other official as may be specifically authorized by him. Where it is desired to assign an urgency standing between existing urgency standings, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standing 792.1 will be scheduled after 792 and before 793.

(j) *Revision of schedules for May and subsequent months.* On or before April 1, 1943 each producer shall determine the May, June and July 1943 quotas for the various groups of purchasers in accordance with the provisions of this order, and shall also revise his schedules of deliveries for each type of machine to the extent that he can do so without seriously interrupting his production line. In revising such schedules he shall give full effect to all WPBL-1588's, diversion orders, and other specific directions heretofore issued by the Director General for Operations which have scheduled specific machines during May or any subsequent month. On or before July 1, 1943 he shall determine the August, September and October 1943 quotas and revise his schedules accordingly; and on or before October 1, 1943 he shall do likewise with respect to November and December 1943 and January 1944 schedules.

The rescheduling of orders necessitated by E-1-b as amended March 8, 1943 shall be reported on Form PD-670, which shall be identified under "Remarks" as follows: "E-1-b amendment of March 8, 1943" (or on Form PD-671 which shall be identified on line 22 in an identical manner). Upon filing the last Form PD-670 (or PD-671) affecting deliveries scheduled for May, June and July 1943 which result from the initial rescheduling required to be done by April 1, 1943, the producer shall certify to the Tools Division, War Production Board, Ref: E-1-b, in writing, that the rescheduling required thereby and the reporting thereof have been completed.

After May 1, 1943 each producer shall make delivery of machines in accordance with his revised schedules.

(k) *Postponement of new purchase orders.* Unless the Director General for

Operations specifically orders otherwise, and notwithstanding any other provisions of this order, no higher preference rating or urgency standing shall operate to postpone or in any way affect any delivery under a purchase order already scheduled where such delivery is to be made within sixty days of receipt of such higher preference rating or urgency standing.

(l) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(m) *Deliveries to distributors for inventory.* No distributor is permitted to purchase any machine tools for purposes of inventory or stock, and no producer shall deliver any machine tool to any distributor where he knows or has reason to believe that such distributor is buying such machine tool for inventory or for stock.

(n) *Changes in schedules.* Notwithstanding any other provision of this order, the Director General for Operations may direct or change any schedule of production or delivery of machine tools, allocate any order for machine tools to any other producer, divert or otherwise direct the delivery of any machine tool to any other person.

(o) *Reports.* Every producer shall file reports on Form PD-669, PD-670 and PD-671, and WPB-417 or WPB-1440, in accordance with the instructions on such forms and such supplemental instructions as may be given in respect thereto.

(p) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(q) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(r) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E-1-b.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

All types of the following:
Ammunition machinery.
Bending machines.

All types of the following—Continued.

Bending rolls.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die sinkers.
Draw benches.
Drilling machines.
Duplicators.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear cutting machines.
Gear finishing machines.
Grinding machines.
Hammers.
Headers.
Honing machines.
Keyseaters.
Lapping machines.

Lathes.
Levelers.
Marking machines.
Milling machines.
Nibbling machines.
Oil grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishers.
Presses.
Profilers.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Sawing machines.
Screw and bar machines.
Shapers.
Shearing machines.
Slotters.
Swagers.
Tapping machines.
Thread rollers.
Threading machines.
Tube reducers.
Upsetters.

Illustration of Paragraph (d) (2) of E-1-b

ILLUSTRATION OF PRODUCER'S WORK SHEET FOR DETERMINING SERVICE GROUP QUOTAS FOR MAY, JUNE AND JULY

Producer's name	(b) Service quota (75 percent of production except as changed by (c) (2) and (3) of E-1-b):
(a) Production scheduled:	
May—100	May—75
June—52	June—39
July—156	July—117
Type and size of machine	

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air Forces	Miscellaneous branches and Bureaus	Maritime Commission	Signal Corps
1. Firm orders March 1.....	400	40	45	100	185	10	15	5
2. Expected deliveries in March.....	75	0	4	0	65	0	6	0
3. Net backlog (line 1 minus line 2).....	325	40	41	100	120	10	9	5
4. Proportion of total services' deliveries (net backlog of individual services divided by total net backlog for all services, line 3).....	325/325	40/325	41/325	100/325	120/325	10/325	9/325	5/325
5. Service quotas (total service, (b), times line 4):								
May.....	(b) 75	9	10	23	28	2	2	1
June.....	(b) 39	5	5	12	15	1	1	0
July.....	(b) 117	14	15	36	43	4	3	2

NOTE: This is illustrative only; a separate computation for each type and size of machine to be scheduled must be made. The producer may mail copies of such work sheets to Control Records Branch, Tools Division, War Production Board, for comment or assistance.

[F. R. Doc. 43-3636; Filed, March 8, 1943; 11:25 a. m.]

PART 1138—ANTIMONY

[General Preference Order M-112, as Amended March 8, 1943]

Section 1138.1 *General Preference Order M-112* is hereby amended to read as follows:

§ 1138.1 *General Preference Order M-112*—(a) *Definitions.* For the purposes of this order:

- (i) "Antimony" means and includes:
 - (i) Ores and concentrates, including beneficiated or treated forms, containing antimony, commercially recognized;
 - (ii) Antimony metal, otherwise known as "regulus" and the element antimony in commercially pure form;
 - (iii) Liquefied antimony, sometimes known, respectively, as "needle antimony", "crude antimony", or "crudum",

which is in any case the result of separating antimony sulphide from antimony ores by fusion, without essential chemical change;

(iv) Any alloy containing 50 per cent or more by weight of antimony, as defined in (i), (ii), and (iii) above;

(v) Chemical compounds which result from the primary processing of antimony ores and concentrates;

(vi) Mixtures or fusions (including frits) containing antimony oxide.

(b) *Deliveries and allocations*—(1) *Restrictions on deliveries.* Hereafter no person shall deliver or accept delivery of antimony except pursuant to specific authorization by the Director General for Operations: *Provided*, That until further order and in the absence of a specific direction to the contrary by the

Director General for Operations the following deliveries of antimony and the receipt of such deliveries are permitted:

(i) Antimony ores or concentrates in amounts totaling not more than 50 tons of contained antimony during any one calendar month, by any person who produced such ores or concentrates from mines located within the continental United States or Alaska;

(ii) Antimony in any of the forms specified in paragraph (a) of this order, to any person in lots of 2240 pounds or less (contained antimony) provided that the total quantity of contained antimony which any person may receive in one calendar month from all sources of supply pursuant to the authorization contained in this paragraph (b) (1) (ii) shall be limited to 2240 pounds.

(iii) To the Metals Reserve Company or to any other Corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., Section 606 (b)), or to any duly authorized agent of any such Corporation.

(2) *Allocations.* The Director General for Operations will from time to time allocate the supply of antimony and specifically direct the manner and quantities in which deliveries to particular persons and for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for antimony to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Applications and reports.* (1) Unless otherwise ordered or specifically directed by the Director General for Operations, no person shall be entitled to receive an allocation of antimony unless not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board and with each supplier with whom he may place a purchase order for antimony an application for such material on form PD-381, and in addition, shall have filed with the War Production Board a report on form PD-380, or such other form as said Board may from time to time prescribe.

(2) Any person who on the first day of any calendar month has in his possession or under his control a quantity of antimony in excess of 2240 pounds (contained antimony), shall file a report with the War Production Board on form PD-380, on or before the 20th day of such month, whether or not such person

applies for an allocation of antimony for delivery during the succeeding month.

(3) Failure by any person to file an application pursuant to the provisions of paragraph (c) (1) of this order may be construed as notice to the Director General for Operations and to all suppliers of antimony that such person does not desire an allocation of antimony for the succeeding month.

(d) *Special directions.* The Director General for Operations may from time to time issue specific directions with respect to the kind and quantity of antimony, including antimony in the inventory of a person on March 8, 1943, which may be used in the manufacture or composition of any product or material, and the Director may also in his discretion, require the use of antimony-bearing lead scrap, secondary antimony-bearing lead alloys or any other practicable substitute in lieu of antimony, in the production of any materials or products.

(e) *Restrictions on use of antimony in certain products.* No person shall use antimony in any form, including the antimony content of any alloy, scrap or secondary material, in the preparation, processing or manufacture of:

(1) White inorganic pigments for non-ceramic enamels, paints, lacquers, or printing inks, except as a reinforcing or chemical agent not to exceed 2% by weight of pure pigment contained.

(2) Toys or decorative or ornamental objects or parts thereof.

(f) *Exceptions to paragraph (e).* The prohibitions and restrictions contained in paragraph (e) of this order shall not apply to the use of antimony in any product or part thereof which is being produced for purchase by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard, where the use of antimony to the extent employed, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard applicable to the contract, subcontract, or purchase order.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using, material under priority control and may be deprived of priorities assistance.

(i) *General Imports Order M-63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M-63 applicable to antimony.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Antimony Branch, Tin and Lead Division, War Production Board, Washington, D. C., Reference M-112.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3637; Filed, March 8, 1943;
11:25 a. m.]

PART 1218—QUARTZ CRYSTALS

[General Conservation Order M-146, as
Amended March 8, 1943]

Section 1218.1 *General Conservation Order M-146* is hereby amended to read as follows:

§ 1218.1 *Conservation Order M-146—*
(a) *Definitions.* For the purpose of this order:

(1) "Quartz crystals" means naturally occurring crystalline quartz having a transparent interior, each single crystal of which weighs not less than 50 grams. The term includes any piece cut from quartz crystals provided such piece weighs not less than 50 grams. The term does not include blanks, other semi-fabricated and fabricated forms, or scrap.

(2) "Blank" means a semi-fabricated piece of quartz crystal which has not been finished for final use as a radio oscillator or filter, telephone resonator, optical part, or other finished item. The term includes wafers.

(3) "Scrap" means that part of any quartz crystal remaining after a piece or pieces have been cut therefrom, if such remnant is of a size less than 50 grams in weight.

(4) "Supplier" means any person who imports or produces from domestic sources quartz crystals for the purpose either of his own fabrication or of sale to others, or who sells quartz crystals to others.

(5) "Fabricator" means any person who fabricates blanks or other semi-fabricated or fabricated forms from quartz crystals.

(6) "Put into fabrication" means the first change by the fabricator in the form of quartz crystals from that form in which such crystals were received by him.

(7) "Fabricate" means cut, saw, file, grind, polish, or otherwise change the form, shape, or characteristics. The term includes mounting or installing in holders.

(8) "Implements of war" means:

(i) Combat end products complete for tactical operations, including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles;

(ii) Parts, assemblies, and materials to be physically incorporated in any of the foregoing items;

(iii) Facilities or equipment used to manufacture any of the foregoing items, produced for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Restrictions on fabrications.* (1) On and after March 8, 1943, no person shall fabricate quartz crystals or blanks except in the manufacture of:

(i) Radio oscillators and filters or other products for use in implements of war,

(ii) Radio oscillators and filters for use in radio systems to be owned, used, and operated by Federal agencies, or by commercial airlines,

(iii) Telephone resonators,

(iv) Optical parts for use in implements of war,

(v) Radio oscillators and filters and optical parts to be used in the replacement of parts which are defective, cracked, or broken, provided the equipment or instruments requiring such parts are implements of war or are needed solely in activities directly connected with defense, public health, welfare, or security, or

(vi) Radio oscillators and filters to be exported to any foreign country for use in radio systems owned, used, and operated by a governmental department or agency of such foreign country or for use by a commercial airline operating in such foreign country.

(2) On and after March 8, 1943 no person shall fabricate radio oscillators, radio filters, or optical parts from scrap except as specifically authorized in writing by the Director General for Operations. Application for such authorization shall be made by letter in triplicate.

(c) *Restrictions on purchase, receipt, and use.* On and after March 8, 1943, no person shall purchase or receive (unless for the purpose of selling or de-

livering to others), and no person shall use

(1) Quartz crystals or blanks, except for fabrication as permitted under the provisions of paragraph (b), or

(2) Fabricated forms of quartz crystals, except for purposes for which fabrication of quartz crystals is permitted under the provisions of paragraph (b): *Provided, however,* That the restrictions of this paragraph (c) (2) shall not apply to fabricated forms of quartz crystals which were already mounted or installed in holders on May 18, 1942, or to fabricated forms of quartz crystals, the purchase, receipt, or use of which has been specifically authorized by the Director General for Operations.

(d) *Special directions.* The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, fabrication to final product, delivery, acceptance of delivery, or placing of orders by such person of or for quartz crystals, blanks, or semi-fabricated or fabricated forms thereof, or special directions to any fabricator with respect to the types and sizes of semi-fabricated and fabricated forms of quartz crystals which he may or must fabricate, and the grades and types of quartz crystals which he may or must use in the fabrication of such blanks or fabricated forms of quartz crystals.

(e) *Reports.* (1) *Stocks and inventories.* Every person who, on the 18th day of May, 1942, or on the last day of any calendar month thereafter has title to or is in possession or control of twenty-five (25) pounds or more of quartz crystals, or more than ten (10) pieces in the form of blanks or in other semi-fabricated or fabricated forms thereof, which have not been mounted or installed in holders, shall, on or before the close of business on the 5th day of the succeeding month, report to the War Production Board, in duplicate, on Form PD-484.

(2) *Fabrication.* Every person who fabricates quartz crystals or blanks during any calendar month shall report to the War Production Board in duplicate on Form PD-484 on or before the 5th day of the succeeding calendar month.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(f) *Miscellaneous provisions.* (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from

and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref: M-146.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 8th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3638; Filed, March 8, 1943; 11:25 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Regulation 1]

The following interpretation is hereby issued by the Director General for Operations with respect to § 3175.1, CMP Regulation No. 1, as amended February 27, 1943.

Questions have arisen as to what constitutes discrimination between customers within the meaning of paragraphs (s) (4) and (t) (2) (1) of CMP Regulation No. 1. These provisions prohibit producers of controlled materials from discriminating between customers in rejecting or accepting orders which are filed later than the prescribed time or which call for deliveries of less than the minimum mill quantities. These provisions mean that, in similar situations, different customers must receive similar treatment. A controlled materials producer who has rejected a late order or small order from one customer, is not prohibited from accepting such an order from another customer if the difference in treatment of the two orders is based in good faith on differences in the practicability of filling the orders in view of the nature of the material ordered, the condition of the production schedule at the time the orders are received, or similar factors.

Issued this 8th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3639; Filed, March 8, 1943; 11:25 a. m.]

18 F.R. 2565.

**PART 3175—REGULATIONS APPLICABLE TO
THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 4, Brass Mill Direction 1]

BRASS MILL WAREHOUSE DIRECTION

The following direction is issued pursuant to paragraph (i) of CMP Regulation No. 4 (§ 3175.4), to all warehouses distributing brass mill products:

(a) The provision contained in paragraph (f) (1) (i) of CMP Regulation No. 4, restricting deliveries of brass mill products to 500 pounds (copper or alloy weight) of any item to any one destination, at any one time, shall not apply to deliveries of the following copper or copper base alloy items:

- (1) Condenser tubes.
- (2) A single straight length of rod, tube, pipe, sheet or strip.
- (3) Welding rod, delivered prior to April 1, 1943.

Orders for such items must, however, be accompanied by, or endorsed with, the form of certification required by paragraph (f) (1) (ii) of the regulation or the form of certification provided in CMP Regulation No. 7, and, the 2,000 pound monthly limitation provided in paragraph (f) (2) of the regulation shall continue to apply to deliveries of such items.

(b) Warehouses in specific instances may apply to the War Production Board for authorization to make, and for the purchaser to accept, delivery of brass mill products in excess of the quantities stated in paragraph (f) (1) of CMP Regulation No. 4. Such application should be directed to the War Production Board, Washington, D. C., Reference: Copper Division, Brass Mill Branch.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3640; Filed, March 8, 1943;
11:25 a. m.]

**PART 3175—REGULATIONS APPLICABLE TO
THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 4, Wire Mill Direction 1]

WIRE MILL WAREHOUSE DIRECTION

The following direction is issued pursuant to paragraph (i) of CMP Regulation No. 4, (§ 3175.4) to all warehouses distributing wire mill products:

(a) The provision contained in paragraph (f) (1) (i) of CMP Regulation No. 4, restricting deliveries of wire mill products to 500 pounds (copper or alloy weight) of any item to any one destination, at any one time, shall not apply to deliveries of wire and cable, sizes 4/0 and larger, in full reels not exceeding 1,000 feet each.

Orders for such items must, however, be accompanied by, or endorsed with, the form of certification required by

paragraph (f) (1) (ii) of the regulation or the form of certification provided in CMP Regulation No. 7, and, the 2,000 pound monthly limitation provided in paragraph (f) (2) of the regulation shall continue to apply to deliveries of such items.

(b) Warehouses in specific instances may apply to the War Production Board for authorization to make, and for the purchaser to accept, delivery of wire mill products in excess of the quantities stated in paragraph (f) (1) of CMP Regulation No. 4. Such application should be directed to the War Production Board, Washington, D. C., Reference: Copper Division, Wire Mill Branch.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3641; Filed, March 8, 1943;
11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. Ration Order 3, Amendment 1]

RATION BANKING: BANKS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1305.411 (c) (5) (iv) is amended to read as follows:

(iv) Each separate evidence shall be deemed to be a separate item, except that, in the case of coupons or stamps required by order of the Office of Price Administration either to be affixed to a card or sheet or to be enclosed in a sealed envelope, each card or sheet bearing, or each sealed envelope containing, stamps or coupons shall be deemed one item. A deposit slip shall not be deemed an item.

This amendment shall become effective March 5, 1943.

(Pub. Laws 431, 507, and 729, 77th Cong.; Executive Order No. 9125, 7 F.R. 2719; W.P.B. Dir. No. 1)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3515; Filed, March 5, 1943;
3:22 p. m.]

PART 1305—ADMINISTRATION

[Gen. Ration Order 7]

**METHOD OF SURRENDER AND DEPOSIT OF
RATION STAMPS AND COUPONS**

Preamble: Several ration orders issued by the Office of Price Administration re-

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 865.

quire that ration stamps and coupons be affixed to gummed sheets or cards before they may be surrendered or deposited. However, the supply of gummed sheets and cards has been seriously depleted and they are now and will continue to be unavailable for general use. It is necessary, therefore, to provide an alternative means by which ration stamps and coupons may be surrendered and deposited. This general ration order provides the alternative procedure. Ration stamps and coupons may, where gummed sheets are unavailable, be enclosed in sealed envelopes, and when enclosed may be used in the same way as if they were affixed to gummed sheets or cards. The gummed sheets which are available are being reserved for use in the gasoline rationing program. That program is, therefore, not affected by this order.

§ 1305.204 *General Ration Order 7.* Under the authority vested in the Administrator by Executive Orders No. 9125 and 9280, issued by the President on April 7, 1942 and December 5, 1942, respectively, Directive No. 1, issued by the War Production Board on January 24, 1942, and Supplementary Directives thereto, and Food Directives No. 1, 3 and 5, issued by the Secretary of Agriculture, General Ration Order 7 (Method of surrender and deposit of ration stamps and coupons), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.204, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179, WPB Dir. 1, Supp. Dir. 1E, 1M, 1O, 1R, and 1T, 7 F.R. 562, 2965, 7234, 8418, 9684, and 8 F.R. 1727, respectively, and Food Directives 1, 3 and 5, 8 F.R. 827, 2005, and 2251, respectively.

GENERAL RATION ORDER 7—METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

SECTION 1.1 *This order governs method of surrendering or depositing stamps or coupons where gummed sheets are not available.* (a) Whenever any ration order of the Office of Price Administration (other than Ration Order 5C) requires that stamps or coupons be affixed to gummed sheets or cards (OPA Form R-120 and R-304), and that stamps or coupons be surrendered or deposited only in that form, the requirement shall be deemed satisfied if the procedure set forth in this Order for enclosing them in sealed envelopes is followed.

SEC. 1.2 *Stamps or coupons may be enclosed in sealed envelopes.* (a) Any person who is required to affix stamps or coupons to gummed sheets or cards for surrender or deposit, may enclose them in sealed envelopes instead. Only

stamps or coupons of the same type and value, and with the same validity period, may be enclosed in the same envelope. No more than 500 stamps or coupons may be enclosed in any one envelope.

SEC. 1.3 Envelopes must be signed and must contain information as to enclosed stamps or coupons. (a) Any person who encloses stamps or coupons in a sealed envelope, pursuant to Sec. 1.2, must write in ink on its face the number and type of stamps or coupons enclosed, their total value, the commodity for which the stamps or coupons are used (for example, sugar, coffee, processed foods), and his name and address. In addition, he must sign his name across the sealing flap of the envelope in such a way that the edge of the flap is crossed by a continuous stroke of the pen. His signature on the envelope shall constitute a certification as to the truth of the statements written on it.

(b) Stamps or coupons enclosed in a sealed envelope bearing the information required by paragraph (a), may be surrendered or deposited, and must be accepted, in that form, for the same purposes and with the same effect as if they were affixed to gummed sheets or cards.

SEC. 1.4 Value of stamps or coupons in sealed envelopes need not be verified by person who receives them. (a) A person who receives stamps or coupons enclosed in sealed envelopes in accordance with this order, need not verify the information stated on the envelope with respect to the contents, but may accept the envelope on the basis of the statements thereon. However, no person shall accept such an envelope if he knows or has reason to believe that the statements written on it are not true.

(b) When stamps or coupons enclosed in a sealed envelope are deposited, the contents of the envelope shall be subject to the verification required by the Office of Price Administration pursuant to General Ration Order 3 and 3A.

SEC. 1.5 A person who receives a sealed envelope containing stamps or coupons must endorse it before surrendering or depositing it. (a) A person who receives stamps or coupons enclosed in a sealed envelope must write his name and address on the back of the envelope before surrendering or depositing it. No envelope may be accepted unless it bears the signature and address of the person transferring it.

SEC. 1.6 Envelopes may be opened only by certain persons. (a) No person may open a sealed envelope in which stamps or coupons are enclosed in accordance with this order, or remove the stamps or coupons from the envelope, except:

(1) The person who originally enclosed the stamps or coupons in the envelope, and whose signature is written on it;

(2) The bank at which the envelope is deposited, for verification pursuant to General Ration Order 3 or 3A;

(3) A public official acting in the performance of his official duties. This order shall become effective March 5, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3514; Filed, March 5, 1943;
3:22 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH
[MPR 336]

RETAIL CEILING PRICES FOR PORK CUTS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 336 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and will effectuate the purposes of said Act and Executive Order.

§ 1364.1001 *Maximum prices for fresh and processed pork cuts at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: Issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 336—RETAIL CEILING PRICES FOR PORK CUTS

ARTICLE I—GENERAL PROVISIONS

Sec.

- 1 What this regulation does.
- 2 Your ceiling prices.
- 3 When the new ceiling prices take effect.
- 4 What pork products you may sell.
- 5 Sales to eating places.
- 6 Post your ceiling prices.
- 7 Records, sales slips and receipts.
- 8 Licensing and registration.
- 9 Indirect price increases.
- 10 Prohibitions and penalties.

ARTICLE II—SPECIAL PROVISIONS

- 11 How you figure the annual gross sales of your store in most cases.
- 12 How you figure the annual gross sales of your store in special cases.

*Copies may be obtained from the Office of Price Administration.

Sec.

- 13 How to find your annual gross sales if you are a new retailer.
- 14 Transfers of business or stock in trade.
- 15 Retail sales taxes.
- 16 Certain stores in "Class 3 and 4," which may, upon certain conditions, use the prices of stores in "Class 1 and 2."

ARTICLE III—ZONES AND CEILING PRICE LIST

- 17 Description of zones.
- 18 O. P. A. List of Retail Ceiling Prices for Pork Cuts.

Article I—General Provisions

SECTION 1 What this regulation does. This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts made on and after April 1, 1943. The United States is divided into 11 zones and different ceiling prices are fixed for sales made in each zone and for sales made by different classes of retail stores. Your ceiling prices depend on the zone where your store is and its class. A store includes any place where pork cuts are sold at retail.

SEC. 2 Your ceiling prices. (a) You will find your ceiling prices on your "O. P. A. List of Retail Ceiling Prices for Pork Cuts" (Article III, section 18). A copy of the list for your zone and class will be attached to this regulation or may be obtained from your local War Price and Rationing Board or from your local O. P. A. office. (If you are a "Class 3 and 4" store, you should obtain your copy from the national office of O. P. A. in Washington, D. C.)

(b) *Your zone.* You can find out from your local War Price and Rationing Board or your O. P. A. office what zone your store is in. The zones are fixed by Article III of this regulation.

(c) *Your class.* Your store is in "Class 1 and 2" if its annual gross sales are less than \$250,000 and if it is not a "chain store." Otherwise, it is in "Class 3 and 4."

(d) Your store is a "chain store" if it is one of a group of four or more stores owned by one person which have combined annual gross sales of \$500,000 or more. If you are in doubt whether your store is in "Class 1 and 2," consult the directions given in sections 11, 12, and 13.

SEC. 3 When the new ceiling prices take effect. On April 1, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of pork cuts. On and after April 1, 1943, you must not sell any pork cut at a price higher than the ceiling price fixed by this regulation.

SEC. 4 What pork products you may sell. On and after April 1, 1943, the only pork products you may sell are (1) those fresh or frozen and processed pork cuts which are given dollar-and-cents prices

under this regulation and (2) the following pork products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation, namely, pork sausage, canned pork, pork variety meats or offal (including temple meat cutlets, brains, chitterlings, liver, plucks, kidneys, tongues, lips, snouts, ears, hearts, cheek and head meat, stomachs, weasand meat and heads), and quick-frozen cuts which are sold and delivered to you in the individual packages in which you sell them.

SEC. 5 Sales to eating places. Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 148. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80% or more of your total sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the pork cut to be eaten by themselves or their families.

SEC. 6 Post your ceiling prices. Beginning April 1, 1943, you must post at your store your "O.P.A. List of Retail Ceiling Prices for Pork Cuts." This list must be put up in a place in your store where customers can easily see it and read it. You can get your copy for posting from your War Price and Rationing Board or from your local O. P. A. office. (If you are a "Class 3 and 4" store, you should obtain your copy from the national office of O.P.A. in Washington, D. C.) You may, if you wish, underline on the list you post those cuts which you carry. If you display any pork cut, as in your show case, you must put on it your ceiling price for that cut.

SEC. 7 Records, sales slips and receipts. After April 1, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for pork cuts. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name and weight of each pork cut sold and the price you received for it.

SEC. 8 Licensing and registration. The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is

not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 9 Indirect price increases. The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling pork cuts.

SEC. 10 Prohibitions. On and after April 1, 1943, the date this regulation takes effect, if you sell or deliver any pork cut at a price higher than your ceiling price, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

Article II—Special Provisions

SECTION 11 How you figure the annual gross sales of your store in most cases. (a) To find your annual gross sales, take your gross sales for the calendar year 1942. Include all sales, whether of foods or not, as shown on your books. A Federal Income Tax Return will be accepted as good evidence of your gross sales for all or any part of the calendar year 1942 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating it as a separate retailer.

(b) If you were not in operation during the entire year 1942, you must divide your total gross sales from the time you began operation up to March 1, 1943 by the number of weeks you were in operation. This will give your weekly average gross sales. Multiply this figure by 52 and take the result as your "annual gross sales."

SEC. 12 How you figure the annual gross sales of your store in special cases—

(a) **Department stores.** If you operate a department store, that is, a store in which the greater volume of business is in the sale of general merchandise and not foods, and you sell foods in a separate department, then you must find in what class your store falls by using only the gross annual sales of your food department.

(b) **Stores in which more than one retailer operates.** (1) If you sell foods in

a retail store in which more than one retailer sells a complete line of the same general class of food, you will be treated as operating a separate retail store of your own and you must find its class by using your own separate sales.

(2) If you sell food in a retail store in which there are other food retailers, none of whom sells a complete line of the same general class of food, you must find your annual gross sales by taking the combined annual gross sales of all the food retailers in that store.

SEC. 13 How to find your annual gross sales if you are a new retailer. If you open a retail store after March 1, 1943, which is not a chain store, you must consider yourself a "Class 1 and 2" retailer and figure your ceiling prices accordingly. But after you have been in operation for three months you must determine again what class your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what class your store falls. If you then find that your store no longer falls in "Class 1 and 2," it is in "Class 3 and 4," and you must take the ceiling prices for "Class 3 and 4" stores in your zone.

SEC. 14 Transfers of business or stock in trade. If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after March 31, 1943, and you carry on the business or continue to deal in pork cuts in a store, separate from any other store previously owned or operated by you, then your ceiling prices should be the same as those of the former owner as if no transfer had taken place; unless as a result of the transfer the business changes from one class of stores to another, in which case your ceiling prices shall be those fixed for the class to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 15 Retail sales taxes. Any tax upon, or incident to, a sale at retail of pork cuts covered by this regulation which is imposed by any statute of any state or subdivision thereof may be collected by you in addition to the ceiling price, if the statute does not prohibit you from stating and collecting the tax separately from the purchase price.

SEC. 16 Certain stores in "Class 3 and 4" which may, upon certain conditions, use the prices of stores in "Class 1 and 2." (a) If your store is in "Class 3 and 4," and does business in the manner outlined below, you may request permission under

paragraph (b) to use the ceiling prices for "Class 1 and 2" stores:

(1) Most of your sales in your grocery department are made by sales clerks who assist customers in selecting, collecting and wrapping merchandise; and

(2) Your store generally offers to all its customers the services of (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing free delivery service; and

(3) The general level of your prices for meat and grocery products is as high or higher than that maintained for such products by "Class 1 and 2" stores in the same community and is generally higher than the level of prices charged for similar products by "Class 3 and 4" stores; and

(4) The total gross margin on all sales in your store, if you are not a "chain store," was more than 21% in your fiscal year 1941; or, if you are a "chain store," the total gross margin on the combined sales of all stores in your chain was more than 21% in your fiscal year 1941. If you were not in operation in 1941, your gross margin for the most recent fiscal year, or if you were not in operation for a year, for the most recent fiscal period, must be more than 21%.

(b) If your store does business in the way set forth above and you want to sell at the ceiling prices for "Class 1 and 2" stores you must by April 1, 1943, file with your State or District O.P.A. office a request to use such ceiling prices. This request must be filed on a form which you may get from such O.P.A. office. If you have filed this form, you may on the effective date of this regulation, use the ceiling prices of "Class 1 and 2" stores. However, O.P.A. reserves the right to withdraw this permission, and if you receive a notice to such effect you must from that time forward use the ceiling prices for stores in "Class 3 and 4."

Article III—Zones and Ceiling Price List

SECTION 17. Description of Zones.

ZONE 1 Washington, Oregon, California and Nevada.

ZONE 2 Idaho, Montana, Wyoming, Utah and Arizona.

ZONE 3 Colorado and New Mexico.

ZONE 4 North Dakota, Oklahoma and Texas.

All that portion of Wisconsin north and west of and including the counties of Iron, Price, Taylor, Rusk, Barron and Polk.

All that portion of Minnesota north of and including the counties of Chisago, Anoka, Sherburne, Stearns, Meeker, Kandiyohi, Swift and Big Stone.

All that portion of South Dakota north and west of and including the counties of Roberts, Grant, Day, Brown, Edmunds, Walworth, Potter, Hyde, Buffalo, Brule, Lyman and Gregory.

All that portion of Nebraska west of and including the counties of Keyapaha, Rock, Loup, Custer, Dawson, Phelps and Harlan.

All that portion of Kansas west and south of and including the counties of Phillips, Rocks, Ellis, Rush, Barton, Ellsworth, Saline, Dickinson, Norris, Lyon, Osage, Franklin and Miami.

All that portion of Missouri south and west of and including the counties of Cass, Johnson, Pettis, Cooper, Moniteau, Cole, Gallaway, Montgomery, Warren, Franklin, Washington, St. Francois, Madison, Wayne and Butler.

ZONE 4-A: All that portion of Wisconsin south and west of and including the counties of St. Croix, Dunn, Chippewa, Clark, Jackson, Monroe, Vernon, and Crawford.

All that portion of Minnesota south of and including the counties of Washington, Ramsey, Hennepin, Wright, McLeod, Renville, Chippewa, and Lac qui Parle.

All that portion of South Dakota south and east of and including the counties of Deuel, Codington, Clarke, Spink, Faulk, Hand, Jerauld, Aurora and Charles Mix.

All that portion of Nebraska east of and including the counties of Boyd, Holt, Garfield, Valley, Sherman, Buffalo, Kearney and Franklin.

All that portion of Kansas east and north of and including the counties of Smith, Osborne, Russell, Lincoln, Ottawa, Clay, Geary, Wabaunsee, Shawnee, Douglas and Johnson.

All that portion of Missouri west and north of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Boone, Howard, Saline, Lafayette and Jackson.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

ZONE 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis and Jefferson.

The following counties in Indiana: Lake, Newton, Benton, and Warren.

ZONE 6: The following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana except the counties of Lake, Newton, Benton and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg and Todd.

The following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

The State of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia.

ZONE 7: The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Fayette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler and Logan.

All that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette and Lamar.

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo and Issaquena.

ZONES 8 AND 9—NORTH: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, District of Columbia and Maryland.

All of New York except the counties of Erie, Niagara, Cattaraugus and Chautauqua.

All of Pennsylvania east of and including the counties of McLean, Elk, Jefferson, Indiana, Cambria, and Somerset.

ZONES 8 AND 9—SOUTH: Virginia, North Carolina, South Carolina and Georgia.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming and McDowell.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida north of and including the counties of Pasco, Sumter, Lake and Volusia.

ZONE 10: All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough and Pinellas.

SEC. 18.—O.P.A. list of retail ceiling prices for pork cuts

(Price per pound)

NOTE 1. *Deduction for Oily Pork Cuts.* The ceiling price for a pork cut which comes from an oily hog carcass is lower than the ceiling price listed below for that pork cut. The ceiling price is one cent a pound lower for all hams, fat back, and dressed hogs from oily hogs. The ceiling price is four cents a pound lower for all shoulders, shoulder cuts, pork loins, bellies, and slab bacon from oily hogs.

NOTE 2. *Slices of Picnics and Bone-in Hams.* Slices from picnics and bone-in hams shall be center slices only and shall not be more than 20% of the weight of the total picnic or bone-in ham.

NOTE 3. *Center Cut Pork Chops.* Center cut pork chops shall be not more than 33 1/3% of the weight of the pork loin.

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
1A Smoked ham, whole or shank half:																		
1. Regular bone in.....	\$0.40	\$0.38	\$0.40	\$0.38	\$0.38	\$0.37	\$0.37	\$0.36	\$0.37	\$0.36	\$0.38	\$0.36	\$0.38	\$0.37	\$0.39	\$0.37	\$0.39	\$0.38
2. Regular boneless.....	.44	.43	.44	.42	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.43	.41	.44	.42
3. Regular boneless and fattened.....	.52	.50	.52	.50	.50	.49	.49	.47	.50	.48	.50	.48	.50	.49	.51	.49	.51	.49
4. Skinned bone in.....	.43	.41	.42	.41	.41	.39	.40	.38	.40	.38	.40	.39	.41	.39	.41	.40	.42	.40
5. Skinned boneless.....	.48	.46	.47	.45	.46	.44	.45	.43	.45	.43	.45	.44	.46	.44	.46	.45	.47	.45
6. Skinned boneless and fattened.....	.56	.54	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.52	.55	.53
1B Smoked ham, round half or butt half:																		
1. Regular bone in.....	.41	.39	.41	.39	.39	.38	.38	.37	.38	.37	.39	.37	.39	.38	.40	.38	.40	.39
2. Regular boneless.....	.45	.43	.45	.43	.44	.42	.43	.41	.43	.41	.43	.42	.44	.42	.44	.42	.45	.43
3. Regular boneless and fattened.....	.53	.51	.53	.50	.52	.49	.50	.48	.51	.48	.51	.49	.52	.49	.52	.50	.53	.50
4. Skinned bone in.....	.44	.42	.43	.42	.42	.40	.41	.39	.41	.40	.41	.40	.42	.40	.42	.41	.43	.41
5. Skinned boneless.....	.49	.47	.48	.47	.47	.45	.46	.44	.46	.45	.47	.45	.47	.45	.47	.46	.48	.46
6. Skinned boneless and fattened.....	.57	.55	.57	.55	.55	.53	.54	.52	.54	.53	.55	.53	.55	.53	.56	.54	.56	.54
1C Smoked ham, slices:																		
1. Regular bone in.....	.59	.57	.59	.56	.57	.54	.55	.53	.56	.53	.56	.54	.57	.54	.57	.55	.58	.55
2. Regular boneless.....	.60	.58	.60	.57	.58	.56	.57	.54	.57	.55	.58	.55	.58	.56	.59	.56	.60	.57
3. Regular boneless and fattened.....	.71	.68	.70	.67	.69	.66	.67	.64	.68	.65	.68	.65	.69	.66	.69	.66	.70	.67
4. Skinned bone in.....	.63	.60	.63	.60	.61	.58	.59	.57	.60	.57	.60	.57	.61	.58	.61	.59	.62	.60
5. Skinned boneless.....	.65	.62	.64	.62	.63	.60	.61	.59	.62	.59	.62	.59	.63	.60	.63	.60	.64	.61
6. Skinned boneless and fattened.....	.76	.73	.75	.72	.74	.71	.72	.69	.72	.69	.73	.70	.74	.71	.74	.71	.75	.72
2A Ready to eat and cooked hams (except boneless and fattened cooked hams), whole or shank half:																		
1. Regular bone in.....	.43	.42	.43	.42	.42	.40	.41	.39	.41	.39	.41	.40	.42	.40	.42	.41	.43	.41
2. Regular boneless.....	.48	.46	.48	.46	.47	.45	.45	.44	.46	.44	.46	.44	.47	.45	.47	.45	.47	.45
3. Regular boneless and fattened.....	.56	.54	.56	.54	.55	.53	.53	.51	.54	.52	.54	.52	.55	.53	.55	.53	.56	.53
4. Skinned bone in.....	.46	.45	.46	.44	.45	.43	.44	.42	.44	.42	.44	.43	.45	.43	.45	.43	.46	.44
5. Skinned boneless.....	.52	.50	.51	.49	.50	.48	.49	.47	.49	.47	.50	.48	.50	.48	.50	.49	.51	.49
6. Skinned boneless and fattened.....	.60	.58	.60	.58	.59	.57	.58	.56	.58	.56	.58	.56	.59	.57	.59	.57	.60	.58
2B Ready to eat and cooked hams (except boneless and fattened cooked hams), round half or butt half:																		
1. Regular bone in.....	.44	.43	.44	.43	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.43	.42	.44	.42
2. Regular boneless.....	.49	.48	.49	.47	.48	.46	.47	.45	.47	.45	.47	.45	.48	.46	.48	.46	.49	.47
3. Regular boneless and fattened.....	.57	.56	.57	.55	.54	.53	.55	.53	.55	.53	.55	.53	.54	.53	.54	.53	.55	.54
4. Skinned bone in.....	.47	.46	.47	.45	.46	.44	.45	.43	.45	.43	.45	.44	.46	.44	.46	.45	.47	.45
5. Skinned boneless.....	.53	.51	.53	.51	.51	.50	.50	.48	.51	.49	.51	.49	.51	.50	.52	.50	.52	.50
6. Skinned boneless and fattened.....	.62	.60	.61	.59	.59	.57	.59	.57	.59	.57	.60	.57	.59	.57	.59	.57	.60	.58
2C Ready to eat and cooked hams (except boneless and fattened cooked hams), slices:																		
1. Regular bone in.....	.64	.62	.64	.61	.62	.60	.60	.58	.61	.58	.61	.59	.62	.60	.63	.60	.63	.61
2. Regular boneless.....	.66	.63	.65	.62	.64	.61	.62	.59	.62	.60	.63	.60	.64	.61	.64	.61	.65	.62
3. Regular boneless and fattened.....	.76	.73	.76	.73	.74	.71	.73	.70	.73	.70	.74	.71	.74	.71	.75	.72	.76	.72
4. Skinned bone in.....	.69	.66	.68	.65	.67	.64	.65	.62	.65	.62	.66	.63	.67	.64	.67	.64	.68	.65
5. Skinned boneless.....	.70	.67	.70	.67	.68	.66	.67	.64	.67	.64	.68	.65	.68	.66	.69	.66	.70	.67
6. Skinned boneless and fattened.....	.82	.79	.82	.78	.80	.77	.78	.75	.79	.76	.79	.76	.80	.77	.80	.77	.81	.78
3A Fresh ham, whole (fresh, frozen or cured):																		
1. Regular bone in.....	.39	.37	.39	.37	.38	.36	.36	.34	.37	.35	.37	.35	.39	.37	.38	.36	.39	.37
2. Regular boneless.....	.43	.41	.43	.41	.42	.40	.40	.38	.41	.39	.41	.39	.43	.41	.42	.40	.43	.41
3. Regular boneless and fattened.....	.51	.48	.50	.48	.49	.46	.48	.45	.48	.45	.49	.46	.50	.48	.50	.47	.51	.48
4. Skinned bone in.....	.42	.40	.42	.39	.40	.38	.39	.37	.39	.37	.40	.38	.42	.39	.41	.39	.42	.40
5. Skinned boneless.....	.47	.44	.47	.44	.45	.43	.44	.42	.44	.42	.45	.43	.47	.44	.46	.44	.47	.44
6. Skinned boneless and fattened.....	.54	.52	.54	.51	.53	.50	.51	.49	.52	.49	.52	.50	.54	.51	.53	.51	.54	.52
3B Fresh ham, shank half (fresh, frozen or cured):																		
1. Regular bone in.....	.38	.36	.38	.36	.37	.35	.35	.33	.36	.34	.36	.34	.38	.36	.37	.35	.38	.36
2. Regular boneless.....	.43	.40	.42	.40	.41	.39	.40	.38	.40	.38	.41	.38	.42	.40	.42	.39	.43	.40
3. Regular boneless and fattened.....	.49	.47	.49	.47	.48	.45	.47	.44	.47	.44	.47	.45	.49	.47	.48	.46	.49	.47
4. Skinned bone in.....	.41	.39	.41	.38	.39	.37	.38	.36	.38	.36	.39	.37	.41	.38	.40	.38	.41	.39
5. Skinned boneless.....	.46	.43	.46	.43	.44	.42	.43	.41	.44	.42	.46	.43	.45	.42	.46	.43	.46	.43
6. Skinned boneless and fattened.....	.53	.50	.53	.50	.51	.49	.50	.48	.50	.48	.51	.48	.53	.50	.52	.49	.53	.50
3C Fresh ham, round half (fresh, frozen or cured):																		
1. Regular bone in.....	.40	.38	.40	.38	.38	.36	.37	.35	.37	.35	.38	.36	.40	.38	.39	.37	.40	.38
2. Regular boneless.....	.45	.42	.44	.42	.43	.41	.42	.39	.42	.40	.42	.40	.44	.42	.44	.41	.45	.42
3. Regular boneless and fattened.....	.52	.50	.51	.49	.50	.48	.49	.46	.49	.47	.50	.47	.51	.49	.51	.48	.52	.47
4. Skinned bone in.....	.43	.41	.42	.40	.41	.39	.40	.38	.40	.38	.41	.39	.42	.40	.42	.40	.43	.41
5. Skinned boneless.....	.48	.45	.48	.45	.46	.44	.45	.43	.45	.43	.46	.44	.48	.45	.47	.45	.48	.45
6. Skinned boneless and fattened.....	.55	.52	.55	.52	.54	.51	.52	.50	.53	.50	.53	.51	.55	.52	.54	.52	.55	.52
3D Fresh ham, slices (fresh, frozen or cured):																		
1. Regular bone in.....	.44	.42	.44	.42	.42	.40	.41	.39	.41	.39	.42	.41	.44	.42	.43	.41	.44	.42
2. Regular boneless.....	.49	.47	.48	.46	.47	.45	.45	.44	.46	.44	.47	.45	.48	.46	.48	.47	.49	.47
3. Regular boneless and fattened.....	.57	.54	.56	.54	.55	.53	.53	.51	.54	.52	.54	.52	.56	.54	.55	.53	.57	.54
4. Skinned bone in.....	.47	.45	.47	.45	.45	.43	.44	.42	.44	.42	.45	.43	.47	.45	.46	.45	.47	.45
5. Skinned boneless.....	.53	.50	.52	.50	.51	.49	.49	.47	.50	.48	.50	.48	.52	.51	.51	.50	.52	.50
6. Skinned boneless and fattened.....	.61	.58	.60	.58	.59	.57	.57	.55	.58	.55	.58	.56	.60	.58	.60	.59	.61	.58
4A Smoked picnics, whole or shank:																		
1. Bone in.....	.37	.36	.37	.35	.36	.34	.35	.33	.35	.33	.35	.34	.36	.34	.36	.35	.37	.35
2. Boneless.....	.42	.41	.42	.40	.41	.39	.40	.38	.40	.38	.40	.39	.41	.39	.41	.39	.42	.40
3. Boneless and fattened.....	.50	.48	.50	.48	.48	.47	.47	.45	.48	.46	.48	.46	.48	.47	.49	.47	.49	.47
4B Smoked picnics, round, half:																		
1. Bone in.....	.38	.37	.38	.36	.37	.35	.35	.34	.36	.34	.36	.35	.37	.35	.37	.35	.37	.36
2. Boneless.....	.43	.42	.43	.41	.42	.40	.41	.39	.41	.39	.41	.40	.42	.40				

SEC. 18.—O.P.A. list of retail ceiling prices for pork cuts—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
5B Fresh picnics, shank half (fresh, frozen or cured):																		
1. Bone in.....	\$0.35	\$0.33	\$0.35	\$0.33	\$0.34	\$0.32	\$0.33	\$0.31	\$0.33	\$0.31	\$0.34	\$0.32	\$0.35	\$0.33	\$0.34	\$0.32	\$0.35	\$0.33
2. Boneless.....	.40	.38	.40	.38	.39	.37	.37	.35	.38	.36	.38	.36	.40	.38	.39	.37	.40	.38
3. Boneless and fattened.....	.47	.44	.47	.44	.45	.43	.44	.42	.44	.42	.45	.42	.47	.44	.46	.43	.47	.44
6C Fresh picnics, round half (fresh, frozen or cured):																		
1. Bone in.....	.37	.35	.37	.32	.35	.33	.34	.32	.34	.32	.35	.33	.37	.32	.36	.34	.37	.35
2. Boneless.....	.42	.40	.39	.37	.40	.38	.39	.37	.39	.37	.40	.38	.39	.37	.41	.39	.42	.40
3. Boneless and fattened.....	.49	.47	.46	.43	.46	.45	.46	.44	.46	.44	.47	.45	.46	.43	.48	.46	.49	.47
6D Fresh picnics, slices (fresh, frozen or cured):																		
1. Bone in.....	.41	.39	.40	.38	.39	.37	.37	.36	.38	.36	.38	.37	.40	.38	.39	.38	.41	.39
2. Boneless.....	.46	.44	.46	.44	.44	.42	.43	.41	.43	.41	.44	.42	.46	.44	.45	.42	.46	.44
3. Boneless and fattened.....	.54	.51	.53	.51	.52	.50	.50	.48	.51	.49	.51	.49	.53	.51	.52	.50	.54	.51
6A Ready to eat and cooked picnics (except cooked boneless and fattened cooked picnics), whole or shank half:																		
1. Bone in.....	.41	.39	.40	.39	.39	.38	.38	.37	.38	.37	.39	.37	.39	.38	.40	.38	.40	.39
2. Boneless.....	.46	.44	.46	.44	.45	.43	.43	.42	.44	.42	.44	.42	.45	.43	.45	.43	.45	.44
3. Boneless and fattened.....	.57	.54	.56	.54	.53	.51	.51	.49	.52	.50	.52	.50	.53	.51	.53	.51	.53	.51
6B Ready to eat and cooked picnics (except cooked boneless and fattened cooked picnics), round half or butt half:																		
1. Bone in.....	.42	.40	.41	.40	.40	.39	.39	.37	.39	.38	.40	.39	.40	.39	.41	.39	.41	.40
2. Boneless.....	.47	.43	.47	.43	.46	.44	.44	.43	.45	.43	.45	.43	.46	.44	.46	.44	.47	.45
3. Boneless and fattened.....	.55	.53	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.53	.55	.52
6C Ready to eat and cooked picnics (except cooked boneless and fattened picnics), slices:																		
1. Bone in.....	.60	.58	.60	.57	.58	.56	.56	.54	.57	.54	.59	.58	.58	.56	.59	.56	.60	.57
2. Boneless.....	.68	.66	.68	.65	.66	.63	.64	.62	.65	.62	.65	.63	.66	.63	.67	.64	.67	.65
3. Boneless and fattened.....	.80	.77	.80	.77	.78	.75	.76	.73	.77	.74	.77	.74	.78	.75	.78	.75	.79	.76
7 Virginia hams:																		
1. Whole or half.....	.62	.60	.62	.60	.60	.59	.59	.58	.59	.58	.60	.58	.60	.59	.61	.59	.61	.60
2. Sliced.....	.70	.67	.70	.67	.68	.65	.67	.64	.67	.65	.67	.65	.68	.65	.68	.66	.69	.67
8 Prosciutto hams:																		
1. Whole or half.....	.59	.58	.59	.58	.58	.56	.56	.55	.57	.55	.57	.56	.58	.56	.58	.57	.59	.57
2. Sliced.....	.67	.64	.67	.64	.65	.62	.64	.61	.64	.62	.64	.62	.65	.62	.65	.63	.66	.64
9A Bellies or slab bacon, whole or piece:																		
1. Fresh with rine.....	.31	.30	.31	.30	.29	.28	.28	.27	.28	.27	.29	.28	.31	.30	.30	.29	.31	.30
2. Fresh derined.....	.35	.34	.35	.34	.33	.32	.32	.31	.32	.31	.33	.32	.35	.34	.34	.33	.35	.34
3. Smoked with rine.....	.38	.37	.38	.37	.37	.35	.35	.34	.36	.34	.36	.35	.37	.35	.37	.36	.38	.36
4. Smoked derined.....	.42	.41	.42	.41	.41	.39	.39	.38	.40	.38	.40	.39	.41	.39	.41	.40	.42	.40
9B Bellies or slab bacon, store sliced:																		
1. Fresh with rine.....	.35	.33	.31	.30	.33	.32	.32	.30	.32	.30	.32	.31	.33	.32	.34	.32	.34	.33
2. Fresh derined.....	.39	.38	.36	.34	.38	.36	.36	.34	.36	.35	.37	.35	.38	.36	.38	.36	.39	.37
3. Smoked with rine.....	.43	.41	.39	.38	.41	.40	.40	.38	.40	.38	.41	.39	.41	.40	.42	.40	.42	.41
4. Smoked derined.....	.48	.46	.44	.42	.46	.44	.44	.42	.45	.43	.45	.43	.46	.44	.46	.44	.47	.45
10A Boston butts, whole or piece:																		
1. Fresh, frozen, or cured.....	.42	.40	.42	.39	.41	.38	.39	.37	.40	.37	.41	.38	.42	.37	.41	.39	.42	.40
2. Smoked.....	.44	.42	.44	.42	.43	.41	.41	.40	.42	.40	.42	.40	.44	.39	.44	.40	.43	.42
3. Ready to eat.....	.48	.46	.48	.45	.46	.45	.45	.43	.45	.44	.46	.44	.46	.45	.47	.45	.47	.45
10B Boston butts, store sliced:																		
1. Fresh, frozen, or cured.....	.47	.45	.47	.45	.45	.43	.44	.42	.44	.42	.45	.43	.47	.45	.46	.44	.47	.45
2. Smoked.....	.50	.48	.49	.47	.48	.46	.47	.45	.47	.45	.47	.46	.48	.46	.48	.46	.49	.47
3. Ready to eat.....	.54	.52	.53	.52	.52	.50	.51	.49	.51	.49	.51	.50	.52	.50	.52	.51	.53	.51
11 Pork shoulders, fresh, frozen or cured, whole only:																		
1. Skinned bone in.....	.39	.37	.39	.36	.37	.35	.36	.34	.36	.34	.37	.35	.39	.36	.38	.36	.39	.37
2. Skinned boneless.....	.44	.42	.44	.41	.42	.40	.41	.39	.41	.39	.42	.40	.44	.41	.43	.40	.44	.42
3. Skinned boneless and fattened.....	.48	.46	.48	.45	.47	.44	.45	.42	.46	.43	.46	.44	.48	.45	.47	.44	.48	.46
4. Regular.....	.36	.34	.36	.34	.35	.33	.33	.31	.34	.32	.34	.32	.36	.34	.35	.33	.36	.34
5. Rough neck bone in.....	.35	.33	.34	.32	.33	.31	.31	.30	.32	.30	.33	.31	.34	.32	.33	.31	.35	.33
6. Rough neck bone out.....	.35	.33	.35	.33	.34	.32	.32	.31	.33	.31	.33	.31	.35	.33	.34	.32	.35	.33
12 Pork shoulders smoked, whole only:																		
1. Skinned bone in.....	.40	.38	.39	.38	.38	.37	.37	.35	.37	.36	.37	.36	.38	.37	.38	.37	.39	.37
2. Skinned boneless.....	.45	.43	.44	.43	.43	.41	.42	.40	.42	.41	.43	.41	.45	.41	.43	.42	.44	.42
3. Skinned boneless and fattened.....	.50	.48	.50	.48	.49	.47	.48	.46	.48	.46	.48	.46	.49	.47	.49	.47	.50	.48
4. Regular.....	.37	.36	.37	.36	.36	.34	.35	.33	.35	.33	.35	.34	.36	.34	.36	.35	.37	.35
5. Rough neck bone in.....	.36	.34	.35	.34	.34	.33	.33	.32	.35	.33	.35	.34	.36	.34	.35	.33	.35	.34
6. Rough neck bone out.....	.36	.35	.36	.35	.35	.33	.34	.32	.34	.32	.34	.33	.35	.33	.35	.34	.36	.34
13 Pork shoulder cooked:																		
1. Skinned bone in.....	.44	.42	.43	.42	.42	.41	.41	.39	.41	.40	.42	.40	.42	.41	.42	.41	.43	.41
2. Skinned boneless.....	.48	.47	.48	.46	.47	.45	.46	.44	.46	.44	.46	.45	.47	.45	.47	.45	.48	.46
3. Skinned boneless and fattened.....	.55	.53	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.52	.55	.53
14A Boneless butts (whole or pieces):																		
1. Fresh, frozen, or cured.....	.49	.46	.49	.46	.47	.45	.46	.44	.46	.44	.47	.44	.49	.46	.48	.45	.49	.46
2. Smoked.....	.54	.52	.54	.52	.53	.51	.52	.50	.52	.50	.52	.50	.53	.51	.53	.51	.56	.52
3. Ready to eat.....	.59	.57	.59	.57	.58	.56	.56	.54	.57	.55	.57	.55	.58	.56	.58	.56	.61	.56
14B Boneless butts (store sliced):																		
1. Fresh, frozen, or cured.....	.55	.53	.54	.52	.53	.51	.51	.49	.52	.50	.53	.50	.54	.52	.54	.51	.55	.53
2. Smoked.....	.60	.59	.60	.59	.59	.58	.57	.56	.58	.57	.58	.57	.59	.58	.59	.58	.59	.58
3. Ready to eat.....	.66	.64	.66	.64	.65	.63	.64	.61	.64	.62	.64	.62	.65	.63	.65	.63	.66	.64
15A Boneless loins (Canadian bacon), whole or piece:																		
1. Fresh, frozen, or cured.....	.54	.52	.53	.52	.52	.51	.51	.49	.5									

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
18A Pork loins (whole):																		
1. Fresh or frozen	\$0.40	\$0.37	\$0.39	\$0.37	\$0.38	\$0.36	\$0.37	\$0.35	\$0.37	\$0.35	\$0.38	\$0.36	\$0.39	\$0.37	\$0.39	\$0.36	\$0.40	\$0.37
2. Cured	.40	.38	.40	.38	.39	.36	.37	.35	.38	.36	.38	.36	.39	.36	.39	.37	.40	.37
3. Smoked	.47	.44	.46	.44	.45	.43	.44	.41	.44	.42	.44	.42	.45	.43	.45	.43	.46	.44
18B Pork loins, rib end:																		
1. Fresh or frozen	.36	.35	.33	.32	.35	.33	.34	.32	.34	.32	.34	.33	.36	.34	.35	.34	.36	.35
2. Cured	.38	.35	.34	.32	.36	.34	.35	.33	.35	.33	.35	.33	.36	.34	.36	.34	.37	.36
3. Smoked	.43	.41	.40	.38	.41	.39	.40	.38	.40	.38	.41	.39	.41	.39	.42	.40	.42	.41
18C Pork loins, loin end:																		
1. Fresh or frozen	.40	.37	.39	.37	.38	.36	.37	.34	.37	.35	.38	.35	.39	.37	.39	.36	.40	.37
2. Cured	.40	.38	.40	.37	.39	.36	.37	.35	.38	.35	.38	.36	.39	.36	.39	.37	.40	.37
3. Smoked	.47	.44	.46	.44	.45	.42	.44	.41	.44	.41	.44	.42	.45	.42	.45	.43	.46	.43
18D Pork loins, center cut:																		
1. Fresh or frozen	.44	.42	.44	.42	.42	.41	.41	.39	.41	.40	.42	.40	.44	.42	.43	.41	.44	.42
2. Cured	.45	.43	.45	.43	.43	.41	.42	.40	.42	.40	.42	.41	.44	.41	.44	.42	.44	.42
3. Smoked	.52	.50	.52	.50	.50	.48	.49	.47	.49	.47	.50	.47	.50	.48	.51	.49	.51	.49
19 Sliced bacon (derinded, smoked):																		
1. Standard grade A	.49	.47	.49	.47	.47	.46	.46	.45	.46	.45	.47	.45	.47	.46	.48	.46	.48	.47
2. Standard grade B	.44	.43	.44	.42	.42	.41	.41	.40	.41	.40	.42	.40	.42	.41	.43	.41	.43	.42
3. Standard grade C	.42	.41	.42	.40	.40	.39	.39	.38	.39	.38	.40	.38	.40	.39	.41	.39	.41	.40
4. Sliced jowl butts	.32	.31	.32	.31	.30	.29	.29	.28	.29	.28	.30	.29	.30	.29	.31	.30	.31	.30
5. Sliced regular plates	.31	.30	.31	.30	.30	.29	.28	.27	.29	.28	.29	.28	.30	.29	.30	.29	.31	.30
6. Bacon, end slices	.28	.27	.28	.27	.27	.26	.25	.24	.26	.25	.26	.25	.27	.26	.27	.26	.28	.27
7. Sliced Canadian bacon	.77	.75	.77	.75	.76	.74	.74	.72	.75	.73	.75	.73	.76	.74	.76	.74	.77	.75
20A Spare ribs:																		
1. Fresh or frozen	.30	.27	.30	.27	.28	.26	.27	.24	.27	.25	.28	.25	.30	.27	.29	.26	.30	.27
2. Cured																		

Sec. 18.—O.P.A. list of retail ceiling prices for pork cuts—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
26A Baked and barbecued ham, boneless and fattened (whole):																		
1. Regular ham.....	\$0.65	\$0.63	\$0.65	\$0.63	\$0.64	\$0.62	\$0.63	\$0.60	\$0.63	\$0.61	\$0.63	\$0.61	\$0.64	\$0.62	\$0.64	\$0.62	\$0.65	\$0.62
2. Skinned ham.....	.70	.67	.69	.67	.68	.66	.67	.65	.67	.65	.68	.65	.68	.66	.68	.66	.69	.67
3. Picnic.....	.61	.58	.60	.58	.59	.57	.58	.56	.58	.56	.58	.56	.59	.57	.59	.57	.60	.58
4. Skinned shoulder.....	.60	.58	.60	.58	.58	.56	.57	.55	.58	.55	.58	.56	.58	.56	.59	.57	.59	.57
26B Baked and barbecued ham, boneless and fattened (sliced):																		
1. Regular ham.....	.97	.93	.96	.94	.95	.91	.93	.89	.93	.90	.94	.90	.95	.91	.95	.91	.96	.92
2. Skinned ham.....	1.03	1.00	1.03	.99	1.01	.97	.99	.96	1.00	.96	1.00	.96	1.01	.97	1.02	.98	1.02	.99
3. Picnic.....	.90	.86	.89	.86	.88	.84	.86	.82	.86	.83	.87	.83	.88	.84	.88	.85	.89	.85
27A Dried and cooked specialties (whole or piece):																		
1. Virginia bacon.....	.47	.46	.47	.45	.45	.44	.44	.43	.44	.43	.45	.43	.45	.44	.46	.44	.46	.45
2. Virginia sides.....	.43	.41	.42	.41	.41	.40	.40	.38	.40	.39	.40	.39	.41	.40	.41	.40	.42	.41
3. Virginia jowls.....	.33	.32	.33	.32	.31	.30	.30	.29	.30	.29	.31	.30	.31	.30	.32	.31	.32	.31
4. Virginia shoulder.....	.62	.61	.62	.60	.60	.49	.49	.48	.50	.48	.50	.48	.50	.49	.51	.49	.51	.50
5. Capicalli butts.....	.71	.69	.70	.69	.69	.67	.68	.66	.68	.66	.68	.67	.69	.67	.69	.68	.70	.68
27B Dried and cooked specialties (store sliced):																		
1. Virginia bacon.....	.53	.51	.52	.50	.51	.49	.50	.47	.50	.48	.50	.48	.51	.49	.51	.49	.52	.50
2. Virginia sides.....	.48	.46	.48	.45	.46	.44	.45	.43	.45	.43	.45	.44	.46	.44	.47	.45	.47	.45
3. Virginia jowls.....	.37	.36	.37	.35	.35	.34	.34	.32	.34	.33	.35	.33	.35	.34	.36	.34	.36	.35
4. Virginia shoulder.....	.59	.57	.58	.56	.57	.55	.56	.53	.56	.54	.56	.54	.57	.55	.57	.55	.58	.56
5. Capicalli butts.....	.79	.77	.78	.76	.78	.75	.76	.74	.77	.74	.77	.74	.78	.75	.78	.75	.79	.76
28 Loin ribs:																		
1. Fresh, frozen or cured.....	.30	.29	.30	.28	.28	.27	.27	.25	.28	.26	.28	.26	.30	.28	.29	.27	.30	.29
2. Cured.....	.32	.30	.31	.29	.30	.28	.28	.27	.29	.27	.29	.27	.30	.28	.30	.28	.31	.29
3. Smoked.....	.39	.37	.39	.36	.37	.35	.36	.34	.36	.34	.36	.34	.37	.35	.37	.35	.38	.36
29 Dressed hogs (whole, half or quarter):																		
1. Packer style.....	.2400	.2400	.2375	.2375	.2275	.2275	.2175	.2175	.2200	.2200	.2250	.2250	.2375	.2375	.2325	.2325	.2400	.2400
2. Shipper style.....	.2300	.2300	.2275	.2275	.2175	.2175	.2075	.2075	.2100	.2100	.2150	.2150	.2275	.2275	.2225	.2225	.2300	.2300

Effective Date

This regulation shall become effective April 1, 1943.
Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3509; Filed, March 5, 1943; 3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 313 Under § 1499.3 (b) of GMPR]

INTERNATIONAL VITAMINS CORPORATION

Order No. 313—Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1749 Approval of maximum prices for sales of "Improved Olivitum"—

(a) Sales by International Vitamin Corporation—(1) Maximum prices. The maximum prices for sales by International Vitamin Corporation, New York, New York, of "Improved Olivitum" are established as set forth below:

Size of package (capsules)	Maximum price per dozen packages	
	To wholesalers	To retailers
25.....	\$8.50	\$10.00
100.....	27.20	32.00
250.....	64.60	76.00
1,000.....	244.80	288.00

(2) Discounts, allowances, and price differentials. International Vitamin Corporation shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Improved Olivitum" all quantity differentials, discounts for different classes of wholesalers, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other

customary allowances which were in effect in March 1942 on its sales of "Olivitum."

(b) Sales by wholesalers—(1) Maximum prices. The maximum prices for sales by wholesalers of "Improved Olivitum" are established as set forth below:

Size of package:	Maximum price per dozen packages
25 capsules.....	\$10.00
100 capsules.....	32.00
250 capsules.....	76.00
1,000 capsules.....	288.00

(2) Discounts, allowances, and price differentials. Any wholesaler making sales of "Improved Olivitum" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and any other customary allowances which were in effect in March 1942 on sales by the wholesaler of "Improved Olivitum" or on sales of the vitamin product most nearly comparable to "Olivitum" if the wholesaler did not sell "Olivitum" in March 1942.

(c) Sales by retailers—(1) Maximum prices. The maximum prices for sales by retailers of "Improved Olivitum" are established as set forth below:

Size of package:	Maximum price per package
25 capsules.....	\$1.23
100 capsules.....	3.98
250 capsules.....	8.69
1,000 capsules.....	30.98

(2) Discounts for purchasers of different classes. Any retailer making sales of "Improved Olivitum" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March 1942 on sales by the retailer of "Olivitum" or on sales of the vitamin product most nearly comparable to "Improved Olivitum" if the retailer did not sell "Olivitum" in March 1942.

(d) Marking package with retail ceiling price. International Vitamin Corporation shall mark each package of "Improved Olivitum" sold by it after May 1, 1943, as indicated below:

Size of package:	Marked as follows
25 capsules.....	"Ceiling Price \$1.23."
100 capsules.....	"Ceiling Price 3.98."
250 capsules.....	"Ceiling Price 8.69."
1,000 capsules.....	"Ceiling Price 30.98."

These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Improved Olivitum" is customarily sold to the ultimate consumer.

(e) Notification of maximum prices—(1) By International Vitamin Corporation. International Vitamin Corporation shall supply a written notification to each wholesaler before or at the time of its first delivery of "Improved Olivitum" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Im-

proved Olivitum" to wholesalers, subject to all customary cash discounts and allowances:

Size of package:	Maximum price per dozen packages
25 capsules.....	\$8.50
100 capsules.....	27.20
250 capsules.....	64.60
1,000 capsules.....	244.80

Wholesalers are authorized to establish the following maximum prices for sales of "Improved Olivitum," subject to all customary cash discounts and allowances:

Size of package:	Maximum price per dozen packages
25 capsules.....	\$10.00
100 capsules.....	32.00
250 capsules.....	76.00
1,000 capsules.....	288.00

Retailers' maximum prices for sales of "Improved Olivitum" are established as follows, less customary discounts and allowances, as marked upon each package:

Size of package:	Maximum price per package
25 capsules.....	\$1.23
100 capsules.....	3.98
250 capsules.....	8.69
1,000 capsules.....	30.98

OPA requires that you keep a copy of this notice for examination.

(ii) *By International Vitamin Corporation to retailers.* International Vitamin Corporation shall supply a written notification to each retailer before or at the time of its first delivery of "Improved Olivitum" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Improved Olivitum," subject to all customary cash discounts and allowances:

Size of package:	Maximum price per dozen packages
25 tablets.....	\$10.00
100 tablets.....	32.00
250 tablets.....	76.00
1,000 tablets.....	288.00

Retailers are authorized to establish the following ceiling prices for sales of "Improved Olivitum":

Size of package:	Ceiling price each
25 tablets.....	\$1.23
100 tablets.....	3.98
250 tablets.....	8.69
1,000 tablets.....	30.98

OPA requires that you keep a copy of this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "Improved Olivitum" means a vitamin preparation manufactured by International Vitamin Corporation, each capsule of which contains at least the following amounts of specific vitamin substances:

Vitamin A.....	5,000 U. S. P. Units.
Vitamin B ₁	500 U. S. P. Units.
Vitamin B ₂ (G).....	1.0 mg.
Vitamin B ₆	2 mg.
Pantothenic Acid.....	1.0 mg.
Niacin Amide.....	20.0 mg.
Vitamin C.....	600 U. S. P. Units.
Vitamin D.....	1,000 U. S. P. Units.

(2) "Olivitum" means a vitamin preparation manufactured by International Vitamin Corporation, each capsule of which contains at least the following amounts of specific vitamin and mineral substances:

Vitamin A.....	10,000 U. S. P. Units.
Vitamin B ₁	250 U. S. P. Units.
Vitamin B ₂ (G).....	.5 mg.
Vitamin C.....	500 U. S. P. Units.
Vitamin D.....	1,000 U. S. P. Units.

(3) "Wholesaler" means any person who buys "Improved Olivitum" and resells it, without substantially changing its form, to retailers.

(4) "Retailer" means any person who buys "Improved Olivitum" and resells it directly to consumers.

(g) International Vitamin Corporation shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(h) This Order No. 313 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 313 (§ 1499.1749) shall become effective on March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3520; Filed March 5, 1943; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 314 Under § 1499.3 (b) of GMPR]

FOREST CITY PRODUCTS, INC.

Order No. 314—Maximum Price Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

Forest City Products, Incorporated of Cleveland, Ohio made application for an authorization to determine the maximum price it may charge for its branded item CRO-PAX Shu-hose. Due consideration has been given the application and it appears that this commodity cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1750 *Approval of maximum price for CRO-PAX Shu-hose manufactured by Forest City Products, Incorporated.* (a) On and after March 6, 1943, the maximum price at which Forest City Products, Incorporated, may sell, deliver and offer for sale CRO-PAX Shu-hose shall be \$2.16 per dozen pairs. Any person may buy and receive and offer to buy and receive CRO-PAX Shu-hose at \$2.16 per dozen pairs from Forest City Products, Incorporated.

(b) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 314 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 314 (§ 1499.1750) shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3511; Filed, March 5, 1943; 3:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 315 Under § 1499.3 (b) of GMPR]

CLIMAX INDUSTRIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1751 *Approval of maximum prices for Climax Crumpleless Wallpaper Cleaner.* (a) On and after March 6, 1943 any person may sell and deliver Climax Crumpleless Wallpaper Cleaner packaged in 30 ounce glass containers at prices not in excess of those herein-after set forth:

To:	
Wholesalers.....	\$1.86 per dozen.
Retailers.....	\$2.14 per dozen.
Retail.....	\$0.23 each.

(b) The prices set forth above shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable than those which were in effect during March 1942 on sales of the above commodity in a 40 ounce can.

(c) Climax Industries, Inc., Cleveland, Ohio, shall supply each wholesaler, before or at the time of its first delivery of the above commodity in 30 ounce glass containers to such wholesaler, a written statement as follows:

The OPA has authorized us to charge the following maximum price for Climax Crumpleless Wallpaper Cleaner, in 30 ounce jars subject to all customary discounts, allowances and freight practices.

\$1.86 per dozen

Your maximum prices, subject to customary discounts, allowances and freight practices are authorized to be as follows:

To Retailers: \$2.14 per dozen.

OPA requires that you keep this notice for examination.

(d) Climax Industries, Inc., shall place on each 30 ounce glass container a legible notice reading as follows:

Retail Ceiling Price 23 cents each.

(e) This Order No. 315 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 315 (§ 1499.1751) shall become effective March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong., E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3512; Filed, March 5, 1943; 3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 207 Under § 1499.18 (b) of GMPR]

PREMIER DENTAL PRODUCTS CO.

Order No. 207 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2943.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1807 *Granting adjustment of maximum prices for sales by Premier Dental Products Co.* (a) Premier Dental Products Co., 1001 Chestnut Street, Philadelphia, Pennsylvania, may sell and deliver certain dental supplies purchased from the Midwest Dental Mfg. Company, at prices no higher than those set forth below, subject to discounts, allowances and terms no less favorable than those customarily granted by it:

Contra angles.....	\$5.40
Right angles.....	4.80
Doriot H. P.....	12.60
Parts 65, 66x, 76.....	1.09
Part 77A.....	.13
E. heads.....	2.00
Part No. 6.....	.42
Part No. 33x.....	.54

(b) Premier Dental Products Co. shall send to each customer with each first delivery of dental equipment on which adjustment of maximum prices has been made pursuant to this Order No. 207, a complete list of adjusted maximum prices and a notice reading as follows:

The Office of Price Administration has granted Premier Dental Products Co. permission pursuant to Order No. 207 under section 18 (b) of the General Maximum Price Regulation, to increase its maximum prices to those specified in the price lists accompanying this order. Since these are the standard wholesale prices for this commodity, you will not be permitted to increase maximum prices for your sales because of such increased maximum prices established for Premier Dental Products Co.

(c) This Order No. 207 (§ 1499.1807) may be revoked or amended by the Administrator at any time.

(d) This Order No. 207 (§ 1499.1807) is incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.

(e) This Order No. 207 (§ 1499.1807) under § 1499.18 (b) of the General Maximum Price Regulation shall become effective the 6th day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3518; Filed, March 5, 1943; 3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 208 Under § 1499.18 (b) of GMPR]

FALL RIVER GAS WORKS COMPANY

Order No. 208 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2953.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with §§ 1499.18 (b) and 1499.18 (c) as amended, *It is ordered:*

§ 1499.1808 *Denial of petition for amendment and application for adjustment of maximum prices of coal gas and water gas by Fall River Gas Works Company, Fall River, Massachusetts.* (a) The petition for amendment of the Fall River Gas Company of Fall River, Massachusetts, also considered as application for adjustment by the Administrator, filed December 10, 1942, and assigned Docket No. GF3-2953, requesting permission to increase maximum prices of water gas and coal gas tars sold by the petitioner is hereby denied.

This Order No. 208 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3513; Filed, March 5, 1943; 3:23 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 209 under § 1499.18 (b) of GMPR]

STERLING WATER TREATMENT COMPANY

Order No. 209 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2035.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1809 *Denial of application for adjustment of maximum price of Sterling Water Treatment Compound sold by the Sterling Water Treatment Company of Cleveland, Ohio.* (a) The application of the Sterling Water Treatment Company of Cleveland, Ohio, filed September 2, 1942, and assigned docket number GF3-2035, requesting permission to increase the maximum price of a water treatment compound known under the name of Sterling Water Treatment Compound is denied.

(b) This Order No. 209 (§ 1499.1809) shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3519; Filed, March 5, 1943; 8:21 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. Order 151 Under § 1499.18 (c) of GMPR]

WESTERN ELECTRIC CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.151 *Maximum prices for the sale of certain commodities by Western Electric Company, Incorporated—(a) Adjustment of certain maximum prices.* A maximum price may be calculated according to this paragraph for the resale of any commodity purchased by the Western Electric Company, Incorporated, through its central purchasing organization for which the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942, by Western Electric Company, Incorporated) determined as of November 4, 1942, exceeds the maximum price established by the General Maximum Price Regulation for the resale of the commodity. Western Electric Company, Incorporated, may sell such a commodity at a price no higher than the price determined by adding the dollar margin received by Western Electric Company, Incorporated, on the resale of such commodity in March, 1942, to the actual cost of acquisition (calculated as above) as of November 4, 1942, or to the supplier's maximum price for the sale of the commodity to Western Electric Company, Incorporated, whichever is lower.

(b) *Determination of certain maximum prices.* A maximum price may be determined according to this paragraph for the resale by the Western Electric Company, Incorporated, of a commodity which cannot be priced under paragraph (a) above, which is not manufactured by Western Electric Company, Incorporated, which did not appear in a price list in effect in March 1942, issued by the headquarters pricing organization of Western Electric Company, Incorporated, or by the regional distributing house, seeking to establish such a maximum price, and which was not delivered in March, 1942, by this particular regional distributing house.

(i) *Items to appear in price list of headquarters pricing organization.* If the commodity is to be included in a price list issued by the headquarters pricing organization of Western Electric Company, Incorporated, the maximum price shall be determined and reported in accordance with § 1499.3 (a) of the General Maximum Price Regulation.

(ii) *Regional price list items and non-price list items.* If the commodity being priced is not to be included in a price list of the headquarters pricing organization, the maximum price shall be determined by applying to the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942, by Western Electric Company, Incorporated) the percentage mark-up ("pricing

factor") prescribed by the headquarters pricing organization of Western Electric Company, Incorporated, for use in March, 1942, in pricing commodities of the same class as that being priced.

(c) *Reports.* The Western Electric Company, Incorporated, shall submit such reports as may be required from time to time by the Office of Price Administration.

(d) *Effective period.* This revised order shall remain effective, with respect to the commodities covered by the General Maximum Price Regulation on the date on which the revised order is issued, notwithstanding the subsequent issuance of specific regulations which operate to remove particular commodities from the operation of the General Maximum Price Regulation. This revised order may be revoked or amended by the Administrator at any time.

(e) *Incorporation of this revised order into Supplementary Regulation No. 14.* This Revised Order No. 151 (§ 1499.151) is incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This revised order shall become effective on March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3516; Filed, March 5, 1943;
3:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.29 of GMPR]

CATALIN CORP. OF AMERICA

Order No. 17 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-3121. In part granting and in part denying Adjustment in price to Catalin Corporation of America.

For reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.417 *Adjustment of maximum prices for sales of cresylic acid by the Catalin Corporation of America.*

(a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, Catalin Corporation of America, Matawan, New Jersey, may sell and deliver cresylic acid produced by it at Matawan, New Jersey, from raw materials in its possession, or in the possession of a common carrier consigned to Catalin Corporation, or in the possession of a warehouseman or other operator of storage facilities subject to the control of Catalin Corporation, prior to March 1, 1943, to any person pursuant to allocation by the War Production Board at prices not in excess of those set forth below, f. o. b. Catalin Corporation's plant, Matawan, New Jersey:

Type of shipment:

	Maximum price per gallon
Tank cars.....	\$1.00
Barrels and drums, containers included.....	1.10

(b) Any contract entered into by the Catalin Corporation with reference to cresylic acid subject to this order, at the prices requested in the application shall be revised in accordance with the terms of this order. Any payment accepted by Catalin Corporation under such contract in excess of the applicable maximum price established by this order shall be refunded to the purchaser.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 (§ 1499.417) shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3517; Filed, March 5, 1943;
3:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 30 Under Supp. Reg. 15 of GMPR]

PAUL VALENTE

Order No. 30 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2226.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1330 *Adjustment of maximum prices for contract carrier services sold by Paul Valente.* (a) Paul Valente of Milo, Maine may sell and deliver contract carrier services in connection with the transportation of groceries and grocery supplies from Dover-Foxcroft, Maine to various points within a seventy-five mile radius for the Great Atlantic & Pacific Tea Company of Portland, Maine at a rate not to exceed \$50.00 per car of 40,000 pounds with a pro rata rate over 40,000 pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 30 (§ 1499.1330) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 30 (§ 1499.1330) shall become effective March 6, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3510; Filed, March 5, 1943;
3:24 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Temporary MPR 30]

PULPWOOD CUT FROM THE STUMP IN THE SOUTHEASTERN STATES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of pulpwood cut from the stump in the southeastern states.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

§ 1347.1002 *Maximum prices for pulpwood cut from the stump in the southeastern states.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Temporary Maximum Price Regulation No. 30 (Pulpwood Cut from the Stump in the Southeastern States) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.1002 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

TEMPORARY MAXIMUM PRICE REGULATION NO. 30—PULPWOOD CUT FROM THE STUMP IN THE SOUTHEASTERN STATES

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SECTION 1 *Definitions.* (a) When used herein the term—

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Mill" means a paper mill, board mill, pulp mill or similar consumer of pulpwood.

(3) "Pulpwood" means any wood sold for manufacture into woodpulp.¹

(4) "Cord" means the unit by cubic feet or feet board measure, in which any particular seller made deliveries of, or had in contracts for the delivery of pulp-

¹ "Woodpulp" includes any pulped fibre material which has been produced either mechanically or chemically from any fibrous cellulose raw material and from which, by a suitable process of manufacture, paper, paperboard, rayon, nitrocellulose, plastics, and any related products can be made, and also siderun paper or paperboard in rolls when sold for manufacture into any of the aforesaid paper products, or any related products.

wood, in the period February 27, 1943 to March 4, 1943.

(5) "Sale" or "sell" includes any sale, delivery or transfer of pulpwood, and any contract or agreement to do any of the foregoing.

(6) "The Southeastern States" include the States of Kentucky, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Louisiana, Texas, Arkansas and Mississippi.

(7) "Roadside" means the side of a public highway maintained by Federal, state, or county authority.

(8) "Prior to the period February 27, 1943 to March 4, 1943," means the six months prior to February 27, 1943.

SEC. 2. *Prohibitions.* (a) On and after March 5, 1943, regardless of any contract or arrangement of any kind to the contrary notwithstanding, no person shall sell or deliver pulpwood cut from the stump in the Southeastern States, and no person shall buy or receive such pulpwood in the course of trade or business at prices in excess of those set forth in section 3 below.

(b) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3. *Maximum prices for pulpwood cut from the stump in the Southeastern States.*—(a) A seller's maximum price per cord for pulpwood cut from the stump in the Southeastern States shall be the highest price which he charged per cord for deliveries in or prior to the period February 27, 1943 to March 4, 1943, or the highest price which he had charged in a firm contract existing during that period, even though the contract called for later delivery. Maximum prices are established on the basis of the types of delivery points listed below in this paragraph. (A delivery point means a point at which the price is set.) The maximum price at any one of the delivery points becomes the seller's maximum price for all deliveries at a similar point to all buyers, whether or not delivery in that particular way was previously made to that buyer. The types of delivery points are as follows:

Delivered millyard
F.o.b. or f.a.s. railway cars
F.o.b. or f.a.s. trucks
F.o.b. or f.a.s. vessel
At a roadside

(b) If a seller made no such deliveries of or had no such contracts for deliveries for the same kind of pulpwood at one or more of said points in or prior to said period, then his maximum price at such point or points shall be the highest price at which he made a delivery or had a contract at another of the points mentioned above, less the actual transportation and loading costs incurred by him in moving the wood from the roadside to the delivery point involved in such highest priced delivery, and plus the actual transportation and loading costs he will incur in the delivery which he wishes to make. The seller's maximum price thus established shall thereafter be his maximum price for all deliveries to the same type of pricing point.

(c) If a seller cannot determine his maximum prices under paragraphs (a) or (b) of this section, he shall communicate this fact to the nearest regional office of the Office of Price Administration, together with a statement of the reasons why he cannot ascertain his said maximum price. Such regional office of the Office of Price Administration shall thereupon assist the seller to ascertain his maximum price under paragraphs (a) or (b) or, if this cannot be done, will proceed to establish a maximum price for such seller, which price shall be a price in line with prices generally prevailing in the period February 27, 1943 to March 4, 1943, and in line with the prices paid by the seller's prospective buyers in said period, or in the nearest five-day period thereto in which said buyers received deliveries of wood.

SEC. 4. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 5. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, delivery, purchase or receipt of or relating to pulpwood, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 6. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 7. *Amendments.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.²

SEC. 8. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This Temporary Maximum Price Regulation No. 30 shall become effective on March 5, 1943, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, May 4, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Dec. 43-3541; Filed, March 5, 1943;
4:57 p. m.]

² 7 F.R. 8961.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 292, Amendment 2]

SALES OF CITRUS FRUITS BY PACKERS, BROKERS, AUCTION MARKETS, TERMINAL SELLERS AND INTERMEDIATE SELLERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1351.1403 (d) is amended to read as follows:

(d) *Freight and refrigeration services performed by packers and common carriers.* Freight to be used in calculating any base price or maximum price under this regulation shall include actual costs or charges for pre-cooling, initial icing and refrigeration services and shall mean freight by common or contract carrier. In determining actual costs and charges for pre-cooling, initial icing and refrigeration services incurred by any person, such actual costs and charges may be included as part of freight regardless of whether the services are performed by a common carrier, a packer or any other person. If a packer or any other person performs the pre-cooling, initial icing or refrigeration services such costs shall be calculated on the basis of the lowest available common or contract carrier rate for similar services. If citrus fruit is imported by any mode of transportation other than common or contract carrier, freight shall be computed at lowest available common or contract carrier rates. Freight shall not include trucking or unloading but shall include actual charges for unloading cars for sales at a terminal market.

2. In § 1351.1403 (e), a proviso is added to read as follows:

(e) *Fractions of a cent.* * * * *Provided,* That any maximum price stated in terms of a fraction of a cent in § 1351.1416 hereof shall not be rounded to the nearest cent.

3. Section 1351.1404 (a), (e), and (h) are amended to read as follows:

§ 1351.1404 *Definition of a maximum price for packers, brokers, auction markets, terminal markets, terminal sellers and commission merchants.* (a) For the purposes of this regulation:

(1) A "packer" is any person who grades, sizes, packs or otherwise prepares citrus fruits for shipment to a terminal market or any other wholesale receiving point. A person who has citrus fruit packed for him shall be deemed to be a packer and the point of shipment shall be deemed to be a packing house.

(2) A "broker" is a person who acts as an agent for the sale of citrus fruits and who does not customarily warehouse, storage or otherwise distribute citrus fruits. The term "broker" shall not include a salaried representative of a packer or any other person.

(3) An "auction market" is a market in which competitive bids are made for

*Copies may be obtained from the Office of Price Administration.
² 8 F.R. 135, 543.

the purchase of citrus fruits and which market charges a fee for its services.

(4) A "terminal seller" is a person who receives or purchases citrus fruits, whether for his own account or for the account of another person, customarily sells ex track, ex truck or ex shipping shed, at the terminal market, and who does not customarily warehouse nor deliver beyond the terminal market area.

(5) A "commission merchant" is a person who receives citrus fruits on consignment from a packer or any other seller and who performs the customary wholesale functions of unloading cars,

warehousing, and selling through such warehouse in less than carlots.

(e) The maximum price for sales of citrus fruits by an auction market shall be the packer's maximum price for direct sales, delivered at the market, multiplied by 1.015, plus the usual auction charge or fee, computed on the basis of such delivered maximum price.

(h) Every sale of citrus fruits by a packer, broker, auction market or terminal seller, to an intermediate seller, shall be accompanied by a notification in writing to the intermediate seller, showing

ing the maximum price for such sale, which price shall be called the "base price" in such notice. The "base price" so reported shall be the maximum price determined under the foregoing paragraphs of this section, whether or not such maximum price was paid, except that in the event of a direct sale by a packer, or a sale by a packer through a broker, on an f. o. b. packing house basis, the "base price" so reported shall be the maximum price for such sale on a delivered basis at the purchaser's customary receiving point. Every sale of citrus fruits by a commission merchant to an intermediate seller shall be accompanied by a notification in writing to the inter-

mediate seller showing the packer's maximum price for direct sales delivered at the commission merchant's customary receiving point, which price shall be called the "base price" in such notice. The "base price" so reported shall be the packer's maximum price for direct sales delivered at the commission merchant's customary receiving point whether or not such maximum price was paid.

4. Section 1351.1416 is amended to read as follows:

§ 1351.1416 Appendix A: Maximum prices for packers, f. o. b. packing house.
(a) Oranges, tangerines, and Temple oranges.

[Maximum prices in dollars per unit]

Item No.	State or area	Variety	Seasons (all dates inclusive)	Standard wooden box						Bruce boxes unpacked unwrapped		Fiberboard boxes	Bags				Bulk	Per lb. maximum prices*			
				Packed wrapped	Packed 2 layers wrapped	Packed unwrapped	Blind pack	Market pack	Loose	1½ bushel	¾ bushel		¾ bushel standard nailed box	1½ bushel corrugated box	¾ bushel corrugated box	1 bushel basket			1½ bushel	¾ box	¾ box	8 pounds	6 pounds	1½ bushel
1	California, Arizona	All (including tangerines)	Nov. 16 to Apr. 30	3.43	3.40	3.38	3.40	2.68	2.41	2.09	2.06	2.14	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
2	Florida: Indian River	Tangerines	May 1 to Nov. 15	3.99	3.96	3.94	3.96	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
3	Florida: Indian River	Temple	Beginning to Dec. 31	3.72	3.72	3.72	3.72	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
4	Florida: Indian River	Oranges	Jan. 1 to Feb. 28	3.92	3.92	3.92	3.92	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
5	Florida: Indian River	Temple	Beginning to Nov. 15	3.31	3.31	3.31	3.31	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
6	Florida: Interior	Tangerines	Nov. 16 to Feb. 28	3.64	3.64	3.64	3.64	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
7	Florida: Interior	Temple	Beginning to Dec. 31	3.69	3.69	3.69	3.69	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
8	Florida: Interior	Oranges	Jan. 1 to Feb. 28	3.35	3.35	3.35	3.35	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
9	Florida: Interior	Temple	Beginning to Nov. 15	3.89	3.89	3.89	3.89	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
10	Florida: Interior	Oranges	Nov. 16 to Feb. 28	3.09	3.09	3.09	3.09	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
11	Texas	Tangerines	Beginning to Nov. 15	3.45	3.45	3.45	3.45	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
12	Texas	Temple	Beginning to Nov. 15	3.45	3.45	3.45	3.45	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
13	Texas	Oranges	Beginning to Nov. 15	3.45	3.45	3.45	3.45	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
14	Texas	Temple	Beginning to Nov. 15	3.45	3.45	3.45	3.45	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68
15	Texas	Oranges	Beginning to Nov. 15	3.45	3.45	3.45	3.45	3.13	2.97	2.09	2.02	2.10	2.09	4.15	2.19	2.63	3.17	1.64	35	32	3.68

*Maximum prices per pound to be used in computing maximum prices for any container not listed in the table above. For any oranges, tangerines, or temple oranges which are sold in containers other than those specifically set forth above, the maximum price shall not exceed the bulk price per pound stated above.

(b) Grapefruit.

[Maximum prices in dollars per unit]

Item No.	State or area	Variety	Seasons all dates inclusive	Standard wooden box				Bruce box packed un- wrapped	1½ bushel fiberboard corrugated box	Bags			Bulk	
				Packed wrapped	Packed 2 layers wrapped	Packed unwrapped	Market pack			Loose	1½ bushel	¾ box		¼ box
1	California, Arizona	White	June 1 to Oct. 31	2.82	2.80	2.77	2.31	2.04						.03
2	Arizona	Pink	Nov. 1 to May 31	2.28	2.26	2.23	1.85	1.50						.02
3	Florida, Indian River	White seeded	All	2.52	2.50	2.47	2.04	1.84						.025
4	Florida, Indian River	Pink seeded	Beginning to Nov. 15	2.60	2.53	2.49			2.79	1.40	.72	.37	2.49	.03
5	Florida, Indian River	White seedless	Nov. 16 to Feb. 28	2.87	2.76	2.72			2.47	1.24	.64	.33	2.17	
6	Florida, Indian River	Pink seedless	Mar. 1 to end	2.83	2.80	2.74			2.70	1.35	.70	.36	2.40	
7	Florida Interior	White seeded	Beginning to Nov. 15	2.75	2.73	2.68			2.62	1.57	.81	.41	2.64	.035
8	Florida Interior	Pink seeded	Nov. 16 to Feb. 28	2.85	2.81	2.78			2.62	1.64	.84	.43	2.75	
9	Florida Interior	White seedless	Mar. 1 to end	3.40	3.33	3.29			3.27	1.83	.97	.50	2.97	.035
10	Florida Interior	Pink seedless	Beginning to Nov. 15	3.32	3.25	3.21			3.03	1.68	.76	.39	2.65	.035
11	Florida Interior	White seeded	Nov. 16 to Feb. 28	3.51	3.44	3.40			3.19	1.60	.82	.44	2.89	
12	Florida Interior	White seedless	Mar. 1 to end	3.19	3.12	3.08			3.28	1.69	.87	.44	2.99	.04
13	Florida Interior	Pink seeded	Beginning to Nov. 15	3.42	3.35	3.31			3.06	1.53	.70	.40	2.76	
14	Florida Interior	White seeded	Nov. 16 to Feb. 28	3.63	3.56	3.52			3.29	1.65	.85	.43	2.99	
15	Florida Interior	Pink seeded	Mar. 1 to end	2.31	2.24	2.20			2.18	1.25	.65	.33	2.20	.025
16	Florida Interior	White seedless	Beginning to Nov. 15	2.82	2.75	2.71			2.52	1.09	.57	.29	1.88	
17	Florida Interior	Pink seedless	Nov. 16 to Feb. 28	2.90	2.83	2.79			2.69	1.35	.63	.32	2.11	.03
18	Florida Interior	White seeded	Mar. 1 to end	2.73	2.66	2.62			2.37	1.19	.62	.30	2.07	
19	Florida Interior	Pink seeded	Beginning to Nov. 15	2.82	2.75	2.71			2.60	1.30	.68	.34	2.30	.03
20	Florida Interior	White seedless	Nov. 16 to Feb. 28	2.92	2.85	2.81			2.77	1.35	.70	.37	2.60	
21	Florida Interior	Pink seedless	Mar. 1 to end	2.72	2.65	2.61			2.57	1.30	.63	.34	2.07	.03
22	Texas	White	Beginning to Nov. 15	2.97	2.90	2.86			2.77	1.39	.68	.34	2.30	.03
23	Texas	Pink seeded	Nov. 16 to Feb. 28	2.74	2.67	2.63			2.60	1.47	.76	.39	2.63	.03
24	Texas	White seedless	Mar. 1 to end	2.97	2.90	2.86			2.61	1.31	.68	.35	2.31	
25	Texas	Pink seedless	Beginning to Nov. 15	2.61	2.54	2.50			2.84	1.42	.84	.37	2.54	
26	Texas	White seeded	Nov. 16 to Feb. 28	2.29	2.22	2.18			2.48	1.24	.65	.33	2.18	
27	Texas	Pink seeded	Mar. 1 to end	2.45	2.45	2.41			2.16	1.08	.57	.29	1.86	.025
28	Texas	White seedless	Beginning to Nov. 15	2.79	2.72	2.68			2.39	1.20	.63	.32	2.09	
29	Texas	Pink seedless	Nov. 16 to Feb. 28	2.47	2.40	2.36			2.66	1.33	.69	.35	2.36	
30	Texas	White seeded	Mar. 1 to end	2.70	2.63	2.59			2.34	1.17	.61	.31	2.04	.03
31	Texas	Pink seedless	Beginning to Nov. 15	3.03	2.96	2.92			2.57	1.29	.67	.34	2.27	
32	Texas	White seeded	Nov. 16 to Feb. 28	2.71	2.64	2.60			2.90	1.45	.75	.38	2.60	.03
33	Texas	Pink seeded	Mar. 1 to end	2.94	2.87	2.83			2.58	1.29	.67	.34	2.28	
34	Texas	White seedless	Beginning to Nov. 15	3.37	3.30	3.26			2.81	1.48	.73	.37	2.61	.03
35	Texas	Pink seedless	Nov. 16 to Feb. 28	3.05	2.98	2.94			2.54	1.41	.74	.38	2.31	.035
36	Texas	White seeded	Mar. 1 to end	3.28	3.21	3.17			2.62	1.53	.82	.41	2.83	

than a private dwelling heated by a space heater, the Board may dispense with the certification required in paragraph (b) of this section if it finds that such certification cannot be obtained without unreasonable difficulty or expense: *Provided*, That the provisions of this paragraph shall not apply to applications for use in premises other than a private dwelling heated by a space heater

unless a ration was issued to the applicant for use in such space heater.

§ 1394.5304. *Same; determination of allowable auxiliary ration.*

(b) Where the Board dispenses with a certification pursuant to § 1394.5302 (c), the allowable auxiliary ration for the period during which it is needed shall be the percentage of the allowable ration

for the entire heating year equal to the difference between the percentages shown on the last column of Table VII opposite the beginning and end of such period.

§ 1394.5851 *Tables:*

(d) *Table VII: Percentage of allowable ration for entire heating year allowable as auxiliary ration, referred to in § 1394.5304 (b), (by thermal zones).*

Dates for which application for auxiliary ration is made (inclusive)							Percentage of allowable ration for entire heating year
Thermal zone A	Thermal zone B	Thermal zone C	Thermal zone D	Area A			
				Thermal zone A	Thermal zone B	Thermal zone C	
Oct. 1-Oct. 2	Oct. 1-Oct. 2	Oct. 1-Oct. 3	Oct. 1-Oct. 6	Oct. 1-Oct. 2	Oct. 1-Oct. 4	Oct. 1-Oct. 3	0
Oct. 3-Oct. 12	Oct. 3-Oct. 16	Oct. 4-Oct. 24	Oct. 7-Nov. 2	Oct. 3-Oct. 24	Oct. 5-Oct. 26	Oct. 4-Oct. 5	1
Oct. 13-Oct. 28	Oct. 17-Nov. 2	Oct. 25-Nov. 6	Nov. 3-Nov. 10	Oct. 25-Nov. 5	Oct. 27-Nov. 6	Oct. 6-Nov. 4	2
Oct. 29-Nov. 7	Nov. 3-Nov. 16	Nov. 7-Nov. 14	Nov. 11-Nov. 18	Nov. 6-Nov. 13	Nov. 7-Nov. 16	Nov. 5-Nov. 13	3
Nov. 8-Nov. 16	Nov. 11-Nov. 19	Nov. 15-Nov. 22	Nov. 19-Nov. 25	Nov. 14-Nov. 20	Nov. 17-Nov. 25	Nov. 14-Nov. 22	4
Nov. 17-Nov. 24	Nov. 20-Nov. 27	Nov. 23-Nov. 29	Nov. 26-Dec. 2	Nov. 21-Nov. 27	Nov. 20-Dec. 1	Nov. 23-Nov. 28	5
Nov. 25-Dec. 1	Nov. 28-Dec. 4	Nov. 30-Dec. 5	Dec. 3-Dec. 7	Nov. 28-Dec. 3	Dec. 2-Dec. 9	Nov. 29-Dec. 5	6
Dec. 2-Dec. 9	Dec. 5-Dec. 9	Dec. 6-Dec. 10	Dec. 8-Dec. 12	Dec. 4-Dec. 9	Dec. 10-Dec. 16	Dec. 6-Dec. 11	7
Dec. 10-Dec. 15	Dec. 10-Dec. 15	Dec. 11-Dec. 16	Dec. 13-Dec. 15	Dec. 10-Dec. 14	Dec. 17-Dec. 23	Dec. 12-Dec. 18	8
Dec. 16-Dec. 22	Dec. 16-Dec. 21	Dec. 17-Dec. 21	Dec. 17-Dec. 21	Dec. 15-Dec. 20	Dec. 24-Dec. 29	Dec. 19-Dec. 24	9
Dec. 23-Dec. 27	Dec. 22-Dec. 27	Dec. 22-Dec. 25	Dec. 22-Dec. 25	Dec. 21-Dec. 25	Dec. 30-Jan. 5	Dec. 25-Dec. 31	10
Dec. 28-Jan. 3	Dec. 28-Jan. 1	Dec. 27-Dec. 31	Dec. 26-Dec. 30	Dec. 26-Jan. 2	Jan. 6-Jan. 11	Jan. 1-Jan. 6	11
Jan. 4-Jan. 9	Jan. 2-Jan. 7	Jan. 1-Jan. 5	Dec. 31-Jan. 4	Jan. 3-Jan. 7	Jan. 12-Jan. 17	Jan. 7-Jan. 11	12
Jan. 10-Jan. 15	Jan. 8-Jan. 12	Jan. 6-Jan. 9	Jan. 5-Jan. 10	Jan. 8-Jan. 12	Jan. 18-Jan. 25	Jan. 12-Jan. 17	13
Jan. 16-Jan. 20	Jan. 13-Jan. 17	Jan. 10-Jan. 15	Jan. 11-Jan. 15	Jan. 13-Jan. 18	Jan. 26-Feb. 2	Jan. 18-Jan. 23	14
Jan. 21-Jan. 26	Jan. 18-Jan. 23	Jan. 16-Jan. 20	Jan. 16-Jan. 21	Jan. 19-Jan. 23	Feb. 3-Feb. 9	Jan. 24-Jan. 29	15
Jan. 27-Jan. 31	Jan. 24-Jan. 29	Jan. 21-Jan. 24	Jan. 22-Jan. 27	Jan. 24-Jan. 29	Feb. 10-Feb. 17	Jan. 30-Feb. 5	16
Feb. 1-Feb. 5	Jan. 30-Feb. 3	Jan. 25-Jan. 29	Jan. 28-Feb. 2	Jan. 30-Feb. 4	Feb. 18-Feb. 26	Feb. 6-Feb. 11	17
Feb. 6-Feb. 11	Feb. 4-Feb. 8	Jan. 30-Feb. 4	Feb. 3-Feb. 8	Feb. 5-Feb. 10	Feb. 27-Mar. 4	Feb. 12-Feb. 19	18
Feb. 12-Feb. 16	Feb. 9-Feb. 12	Feb. 5-Feb. 9	Feb. 9-Feb. 13	Feb. 11-Feb. 16	Mar. 6-Mar. 13	Feb. 20-Feb. 28	19
Feb. 17-Feb. 22	Feb. 13-Feb. 17	Feb. 10-Feb. 14	Feb. 14-Feb. 18	Feb. 17-Feb. 23	Mar. 14-Mar. 21	Mar. 1-Mar. 6	20
Feb. 23-Feb. 28	Feb. 18-Feb. 23	Feb. 15-Feb. 19	Feb. 19-Feb. 22	Feb. 24-Feb. 28	Mar. 22-Mar. 31	Mar. 7-Mar. 13	21
Mar. 1-Mar. 7	Feb. 24-Mar. 1	Feb. 20-Feb. 25	Feb. 23-Feb. 27	Mar. 1-Mar. 8	Apr. 1-Apr. 12	Mar. 14-Mar. 23	22
Mar. 8-Mar. 14	Mar. 2-Mar. 8	Feb. 26-Mar. 3	Feb. 28-Mar. 3	Mar. 9-Mar. 16	Apr. 13-Apr. 23	Mar. 24-Apr. 3	23
Mar. 15-Mar. 21	Mar. 9-Mar. 16	Mar. 4-Mar. 10	Mar. 5-Mar. 9	Mar. 17-Mar. 26	Apr. 24-May 4	Apr. 4-Apr. 13	24
Mar. 22-Mar. 29	Mar. 17-Mar. 24	Mar. 11-Mar. 17	Mar. 10-Mar. 17	Mar. 27-Apr. 5	May 5-May 18	Apr. 14-Apr. 26	25
Mar. 30-Apr. 8	Mar. 25-Apr. 1	Mar. 18-Mar. 25	Mar. 18-Mar. 25	Apr. 6-Apr. 19	May 19-June 11	Apr. 27-May 12	26
Apr. 9-Apr. 17	Apr. 2-Apr. 13	Mar. 26-Apr. 4	Mar. 26-Apr. 3	Apr. 20-May 4	June 12-June 30	May 13-June 11	27
Apr. 18-Apr. 28	Apr. 14-Apr. 26	Apr. 5-Apr. 16	Apr. 4-Apr. 12	May 5-May 31	July 1-July 31	June 12-June 30	28
Apr. 29-May 31	Apr. 27-May 31	Apr. 17-Apr. 29	Apr. 13-Apr. 30	June 1-Sept. 17	Aug. 1-Sept. 19	July 1-July 15	29
June 1-Sept. 30	June 1-Sept. 30	Apr. 30-Sept. 30	May 1-Sept. 30	Sept. 18-Sept. 30	Sept. 20-Sept. 30	July 16-Sept. 30	30

This amendment shall become effective on March 11, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1-O, as amended, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3542; Filed, March 5, 1943; 4:57 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 127, to Supp. Reg. 14,¹ to GMPR²]

BEEF

A statement of the considerations involved in the issuance of this amendment

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6674, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7558, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 7199, 7351, 7356, 7524, 8652, 8707, 8881, 8999, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 569, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346, 2507, 2665.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (79) is added to paragraph (a) of § 1499.73 to read as follows:

(79) *Beef.* The Office of Price Administration, or any duly authorized representative thereof, may by order establish specific maximum prices for sales of beef at retail in any area or locality. Any order establishing maximum prices issued under the authority of this provision will supersede the General Maximum Price Regulation with respect to the sales of beef subject to such order.

This amendment shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3544; Filed, March 5, 1943; 4:58 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1312—LUMBER AND LUMBER PRODUCTS
[Rev. MPR 109,¹ Amendment 2]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1312.358 (b) (2) is amended, Footnote 1 of Table 1, § 1312.361 is corrected, and in Table 3, § 1312.361, the headnote is amended as set forth below:

§ 1312.358 *Delivered prices.*

(b) *How to figure transportation costs.*

(2) If the lumber is remanufactured after leaving the original shipping point, the total addition for transportation may not be greater than the estimated weight times the rate from the original shipping point to the purchaser via the remanufacturing plant. The addition must be figured at the milling-in-transit

¹ 7 F.R. 2238, 2543, 5667, 5858, 8948, 10100; 8 F.R. 270.

rate, if such a rate is applicable and results in a lower total cost of transportation.

§ 1312.361 Appendix A: Maximum prices for aircraft lumber per MBM.

Table 1. Maximum prices f. o. b. original shipping point, rough, green, for Army-Navy aeronautical specifications for Sitka spruce (AN-S-6),¹ red spruce (AN-S-6),² white spruce (AN-S-6),³ noble fir (AN-F-6),³ Western hemlock (AN-H-4).³

¹ These specifications refer to the Army-Navy Aeronautical Specifications dated April 24, 1942, as amended July 31, 1942.

Table 3. Maximum prices f. o. b. original shipping point, rough, green, aircraft lumber conforming to U. S. Treasury Department, Procurement Division, specifications. * * *

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3574; Filed, March 6, 1943;
2:33 p. m.]

PART 1340—FUEL

[Correction to Amendment 35 to MPR 120]
BITUMINOUS COAL DELIVERED FROM MIN. OR
PREPARATION PLANT

The maximum prices shown in § 1340.233 (b) (1) for Size Group 26 coals produced in Sub-Districts "A," "C," and "L" are corrected so as to read \$3.70, \$3.35, and \$3.35, respectively.

This correction shall be effective as of February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3576; Filed, March 6, 1943;
2:32 p. m.]

PART 1340—FUEL

[MPR 120,² Amendment 46]

BITUMINOUS COAL DELIVERED FROM MINE OR
PREPARATION PLANT

A statement of the considerations involved in the issuance of this amend-

¹ 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012;
8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284.

² 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012;
8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497.

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1340.210 (a), the period at the end of subparagraph (10) is changed to a comma and a new clause is added, and a new subdivision (i) is added, to read as set forth below:

§ 1340.210 Maximum price instructions. (a) * * *

(10) * * *, except as otherwise provided in subdivision (i) below for the services indicated therein.

(i) The following special rule shall govern the compensation for distributors' service rendered in connection with lake or tidewater shipments of bituminous coal:

(a) Services rendered by a distributor in connection with bituminous coal shipments by lake or tidewater (e. g., assembling cargoes, chartering vessels, etc.) shall be deemed to constitute special services within the meaning of this paragraph, only if:

(i) The service charge does not exceed the weighted average of service charges made by him during October 1941 for similar transactions (e. g., for similar f. a. s., or f. o. b. dock or f. o. b. vessel transactions, as the case may be), or (if he had no similar transactions during that month) does not exceed the service charge which has been authorized pursuant to this subparagraph (10) (i) for similar transactions of a competing distributor.

(ii) The distributor has filed with the Office of Price Administration, Solid

Fuels Branch, Washington, D. C., two copies of an application for permission to make a service charge for such transactions and has received such permission, and

(iii) The distributor separately identifies in his invoice the amount of the service charge authorized pursuant to this paragraph.

(b) The Office of Price Administration may approve, reject or modify a service charge proposed in an application filed pursuant to this paragraph (10) (i); approval shall be effective for all similar transactions of the applicant. Such application shall include on a form copied from the sample Form reproduced below:

(i) The purchase costs (showing discounts, allowances, or commissions), resale prices and service charges in October 1941 for the tonnages involved, such tonnages to be specifically identified by origin, grade, size, and name and address of persons from whom purchased; and the type of transaction (e. g., f. a. s., f. o. b. dock, f. o. b. vessel), and the capacity in which each transaction was handled by the applicant and the person selling to him;

(ii) The weighted average service charge per ton for each type of transaction, and

(iii) A breakdown, for each type of transaction, of the service elements involved in the total service rendered, together with a cents-per-ton allocation, insofar as practicable, of the total service charge to each such service element:

Form approved
Budget Bureau No. 08-R34g

OFFICE OF PRICE ADMINISTRATION.

APPLICATION FOR PERMISSION TO MAKE A SERVICE CHARGE ON LAKE OR TIDEWATER SHIPMENTS

BITUMINOUS COAL DISTRIBUTORS

Distributor's Name: _____ Date: _____

Address: _____

Lake and Tidewater Shipments

PART A—PRICE, SERVICE CHARGE & TYPE OF TRANSACTION—BITUMINOUS COAL HANDLED, OCTOBER 1941

(All units per net ton)

Line No.	FOB mine prior to resale		Resale price fob mine	Total tons sold	Service charge per ton	Total service charge (Col. 4 times Col. 5)	Type of transaction
	Price before any discounts, allowances, commissions	Amount of discounts, allowances, commissions					
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
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99							
100							

*Copies may be obtained from the Office of Price Administration.

PART B.—IDENTITY OF OCTOBER 1941 BITUMINOUS COAL TRANSACTIONS

Line No.	Origin of coal purchased			Grade and size ¹	Name and address of persons from whom tonnage was purchased as reported on each numbered line of PART A	Capacity in which handled	
	Mine district No.	Mine name	Mine index No.			By person from whom purchased	By applicant
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

¹ The entries should correspond line for line with the entries in Part A.² Give specific size dimensions in inches and fractions of inches or mesh including both top and bottom size of double screened coals.

PART C.—WEIGHTED AVERAGE SERVICE CHARGE PER TON—OCTOBER 1941

F. A. S.: F. O. B. Dock: F. O. B. Vessel: Other (specify)

NOTE: For each type of transaction shown in PART A, Column 7, compute the weighted average service charge by dividing the total of the service charges for each type as shown in PART A, Column 6, by the total net tons sold for such transactions as shown in PART A, Column 4.

PART D.—ALLOCATION OF SERVICE CHARGES

Line No.	Service Elements and Charges by Type of Transaction ¹							
	Service elements	F. A. S. transactions	Charges	F. O. B. dock transactions	Charges	F. O. B. vessel transactions	Charges	Others (Specify)
1	Assembling cargoes.....							
2	Chartering vessels.....							
3								
4								
5								
6								
7								
8								
9								
10								
	Total: ²	XXXX		XXXX		XXXX		

¹ Under each type of transaction check (x) the appropriate Service Elements and enter the charges therefor.² The total charge for each type of transaction should not exceed the weighted average shown in PART C for each type of transaction.

These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3575; Filed, March 6, 1943;
2:32 p. m.]

PART 1340—FUEL

[RPS 88,¹ Correction to Amendment 69]

PETROLEUM AND PETROLEUM PRODUCTS

Section 1340.157 (b) of Amendment No. 69 to Revised Price Schedule No. 88 is corrected, and in § 1340.159 (e) (2) (iii) (b), the second sentence under the heading *Instructions and footnotes* in OPA Form No. 652:171 is corrected, as set forth below:

¹ 7 F.R. 1107, 1371, 1798, 1799, 3116, 2132, 2304, 2352, 2634, 2945, 3552, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8586, 8701, 8741, 8829, 8938, 9130; 8 F. R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350.

§ 1340.157 * * *

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof.

Liquefied petroleum gases.
Tractor distillates and similar distillate type motor fuels other than gasoline.

Kerosene, including range oil or stove oil.
Distillate burning, heating or fuel oils.
Diesel fuel oils.

Residual burning, heating or fuel oils.
Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stocks and other stock oils) and all greases and industrial lubricating oils except core oils and core washing oils.

Naphthas, solvents, mineral spirits and other petroleum fractions when sold as anti-freeze preparations.

For the time being industrial naphthas and solvents, and specialty products

(such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

§ 1340.159 * * *

(e) * * *

(2) * * *

(iii) * * *

(b) * * *

Where new ingredients are used these should be listed in Column 1 of Part C following the list of original ingredients.

This correction shall be effective as of February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3577; Filed, March 6, 1943;
2:33 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329,¹ Amendment 1]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (1) is added to § 1351.402 (a); a new paragraph (g) is added to § 1351.404; and a new § 1351.415 is added, as set forth below:

§ 1351.402 *Maximum prices for purchases of "milk" from producers.* (a)

(1) Maximum prices for purchases of "milk" from producers for resale as fluid milk in the Atlanta Regional area are modified and adjusted in § 1351.415 below.

§ 1351.404 *Definitions.* When used in this regulation, the term:

(g) "Atlanta Regional area" means the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

§ 1351.415 *Adjusted maximum prices for purchases of "milk" from producers in the Atlanta Regional area.* (a) The maximum price for each grade of "milk" purchased from a producer for resale as fluid milk in the Atlanta Regional area shall be the highest price each purchaser from a producer paid that producer for "milk" of the same grade received during January 1943, or the following, whichever is higher:

The highest price for each grade of "milk" such purchaser from a producer paid that producer for "milk" of the same grade received during March 1942 plus 10¢ per cwt. for each full ¼¢ increase over March 1942 in the purchas-

*Copies may be obtained from the Office of Price Administration.
¹ 8 F.R. 2038.

er's maximum resale price for standard fluid sweet milk in quart container sizes. The "increase" in resale prices means the increase since March 1942 in the highest price, before discounts and allowances, charged any purchaser either at retail or at wholesale. He shall use the rate of increase at retail in calculating his increased buying price to producers if retail sales made up the greater part of his total volume of sales during January 1943; if not, he shall use the rate of increase applicable to wholesale sales.

(b) If the purchaser's maximum price cannot be determined under paragraph (a), of this section, his maximum price shall be the weighted average price he paid to producers for the lowest priced 60% [by volume] of "milk" of the same grade received during January 1943, or the following, whichever is higher:

The weighted average price such purchaser paid to producers for the lowest priced 60% [by volume] of "milk" of the same grade received during March 1942 plus 10¢ per cwt. for each full ¼¢ increase over March 1942 in the purchaser's maximum resale price for standard fluid sweet milk in quart container sizes. The "increase" in resale prices means the increase since March 1942 in the highest price, before discounts and allowances, charged any purchaser either at retail or at wholesale. He shall use the rate of increase at retail in calculating his increased buying prices to producers if retail sales made up the greater part of his total volume of sales during January 1943; if not, he shall use the rate of increase applicable to wholesale sales.

(c) On or before March 22, 1943, each purchaser of "milk" from a producer for resale as fluid milk in the Atlanta Regional area shall calculate and notify each such producer of his adjusted maximum purchasing price as determined under the foregoing paragraphs (a) and (b).

(d) On or before April 5, 1943, such purchaser shall file a report with the Regional Office of the Office of Price Administration, Atlanta, Georgia, showing: his adjusted maximum purchasing price, as determined under the foregoing paragraphs (a) and (b), and the factors upon which it is based.

This amendment to Maximum Price Regulation No. 329 shall become effective March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3578; Filed, March 6, 1943;
2:32 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53; Amendment 24]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment

¹ 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972.

has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (vi) is added to § 1351.151 (b) (15), to read as set forth below:

§ 1351.151 *Maximum prices for fats and oils.*

(b) * * *

(15) * * *

(vi) The maximum prices for sales of the above tallow and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth above, plus 1¢ per pound.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3579; Filed March 6, 1943;
2:33 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 337]

FROZEN LAKE SMELTS

In the judgment of the Price Administrator the prices of frozen Lake smelts have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of frozen Lake smelts prevailing between October 1, 1941, and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 337 is hereby issued.

AUTHORITY: §§ 1364.1101 to 1364.1111, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.1101 *Sales by processors of frozen Lake smelts at higher than maximum prices prohibited.* (a) On or after March 12, 1943, regardless of any con-

*Copies may be obtained from the Office of Price Administration.

tract, agreement, or other obligation, no processor shall sell or deliver any frozen Lake smelts, and no person in the course of trade or business shall buy or receive any Lake smelts from a processor at prices higher than the maximum prices set by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1364.1102 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

§ 1364.1103 *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of frozen Lake smelts to a purchaser if prior to March 12, 1943, such frozen Lake smelts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.1104 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation¹ with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export frozen Lake Smelts shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

§ 1364.1105 *Conditional agreement.* No seller of frozen Lake smelts shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.1111; in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.1106 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every person making a purchase or sale of frozen Lake smelts in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after March 11, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete

¹ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

² 7 F.R. 5059, 7242, 8829, 9000, 10530.

and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, and a description of the type of frozen Lake smelts.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.1107 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to frozen Lake smelts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade or style of processing or the packaging of frozen Lake smelts.

§ 1364.1108 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or of its principal office in Washington, D. C.

§ 1364.1109 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1^{*} issued by the Office of Price Administration.

§ 1364.1110 *Definitions.* When used in this maximum price regulation the term:

"Dressed smelts" means beheaded and eviscerated smelts.

"Frozen Lake smelts" means natural or artificially frozen fish of the genus *osmerus mordax*, where the same are caught in the Great Lakes or adjoining streams.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing; *Provided*, That no punishment provided by this regulation shall apply to the

United States or to any such government, political subdivision, or agency.

"Price per pound" means the price per 16 ozs. of frozen smelts.

"Processor" means a person who preserves smelts by natural or artificial freezing.

"Whole" means whole smelts.

Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.1111 *Processors' maximum prices for frozen lake smelts.* (a) The prices set forth below are maximum prices per pound packed in the usual container f. o. b. shipping point nearest freezer's warehouse. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials.

"Whole" per pound @ \$.08.

"Dressed" per pound @ \$.16.

(b) For other types of frozen Lake smelts not listed in paragraph (a) the maximum price shall be determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

This regulation shall become effective March 12, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3580; Filed, March 6, 1943;
2:46 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 164,¹ Amendment 2]

RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.11 is amended by adding paragraph (e) as set forth below.

§ 1381.11 *Appendix A: Maximum prices for red cedar shingles.* * * *

(e) When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls shingles by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases mills may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne shipments, and has been forced to ship by rail because of a lack of water carrier facilities;

(2) Where the mill prior to December 7, 1941, shipped shingles to the particular final destination, principally by all-

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 4541, 8384, 8943.

truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(3) Where a mill's rail connections have been abandoned since December 7, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received by the applicant.

This Amendment No. 2 (§ 1381.11) to Maximum Price Regulation No. 164, Red Cedar Shingles, shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3581; Filed, March 6, 1943;
2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 143 under § 1499.3
(b) of GMPR]

RAMSEY PACKAGE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, paragraphs (a) and (b) of § 1499.1159 of Order No. 143 are hereby amended to read as follows:

§ 1499.1159 *Temporary approval of maximum prices for sale by Ramsey Package Company of "Ramsey's Victory Tub."* (a) On January 28, 1943 and for a period of 120 days thereafter, the Ramsey Package Company, Suffolk, Virginia, may sell and deliver, and any person may purchase from said company, in any quantity, the "Ramsey's Victory Tub", constructed according to the specifications set forth herein, at a price not higher than \$3.00 per dozen, f. o. b. factory, free delivery by truck within 50 miles of the factory. The specifications of the Ramsey's Victory Tub are as follows:

The "Ramsey's Victory Tub" is a one bushel export tub, made of solid fiber, with five piece stitched veneer bottom, or solid wooden bottom, two wooden hoops and two fiber hoops and a flat or crown cover consisting of a solid fiber base with two double crossed veneer slats and a veneer hoop.

(b) The price set forth in paragraph (a) of this order, as amended, shall continue to be applicable until the Office of Price Administration withdraws its approval or establishes a different price: *Provided, however*, That the Ramsey Package Company shall submit to the Office of Price Administration a complete statement of its costs and profits in the manufacture of "Ramsey's Victory Tub" for each of the three 30 day periods immediately following the effective date of this order, as amended. Such statements shall be submitted within 10 days from the end of the 30 day period covered thereby.

² 7 F.R. 8961.

This amendment shall be effective as of January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3586; Filed, March 6, 1943;
2:29 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 316 Under § 1499.3 (b) of GMPR]

J. B. ROBINSON

Order No. 316—Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is ordered:

§ 1499.1752 *Authorization of maximum prices for sales of "Nutco", "Kokomix" and "Chocolate Fudge Substitute" by J. B. Robinson, 1020 Woodland Avenue, Cleveland, Ohio, by wholesalers and by retailers.* (a) On and after March 8, 1943, the maximum selling prices for the following commodities for sale by J. B. Robinson, 1020 Woodland Avenue, Cleveland, Ohio, shall be:

	Per lb.
"Nutco" in 25 lb. containers.....	\$0.15
"Kokomix" in 1 lb. packages or 100 lb. containers.....	0.15
"Chocolate Fudge Substitute" in 1 lb. containers.....	0.145

f. o. b. manufacturer's factory shipping point, subject to a discount of 2% for prompt payment.

(b) Sellers at wholesale are authorized to determine their maximum delivered selling prices for each of the commodities listed in paragraph (a) by adding to their net cost a mark-up of 20% of such net cost.

(c) Sellers at retail are authorized to determine their maximum delivered selling prices for each of the commodities listed in paragraph (a) by adding to their net cost a mark-up of 30% of such net cost.

(d) "Net cost" shall mean the price paid for delivery of a customary quantity of the commodity from the customary supplier and by the customary mode of transportation, if any. Local drayage, hauling, loading or unloading shall not be included in net cost.

(e) If the computations as determined by the provisions of paragraphs (b) and (c) result in a fraction of one cent the price may be increased to the next higher cent if the fraction is one-half cent or more, and the price shall be decreased to the next lower cent if the fraction is less than one-half cent.

(f) J. B. Robinson and sellers at wholesale shall apply the same discounts, allowances and/or trade practices to the sale of the commodities named in this order as they customarily apply to comparable commodities of the same type unless a change in these discounts, allowances and/or trade practices results in a lower selling price.

No. 47—9

(g) On and after March 8, 1943, J. B. Robinson shall supply a written notification to each of the purchasers from him before or at the time of the first delivery of each of the products listed in paragraph (a) to such purchasers, and for a period of three months thereafter shall include with each shipping unit a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notification for each type of purchaser may be prepared separately for each of the listed items or may refer to all the listed items, and shall include the following appropriate statements:

Notification from J. B. Robinson to Wholesalers

The OPA has authorized us to charge the following prices for the products listed:

	Per lb.
"Nutco" in 25 lb. containers.....	\$0.15
"Kokomix" in 1 lb. and/or 100 lb. containers.....	0.15
"Chocolate Fudge Substitute" 1 lb. containers.....	0.145

f. o. b. our factory shipping point, subject to a discount of 2% for prompt payment. Sellers at wholesale are authorized to determine their maximum delivered selling prices for these products by adding to their "net cost" for each a mark-up of 20% of such "net cost." Sellers at retail are authorized to determine their maximum delivered selling prices for these products by adding to their "net cost" for each a mark-up of 30% of such "net cost." A notification to retailers is included in every shipping unit of each item. If your initial sale of these items is less than a shipping unit, wholesalers are required to provide such retailers with a copy of the retailer notification so inclosed.

"Net cost" shall mean the price paid for delivery of a customary quantity of the item from the customary supplier and by the usual mode of transportation, if any. Local hauling, loading or unloading shall not be included in the "net cost." Each individual ceiling price determined by any reseller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires you to keep this notice for examination.

Notification from J. B. Robinson to Retailers

Retailers are authorized to determine their maximum delivered selling price for "Nutco", "Kokomix", and/or "Chocolate Fudge Substitute", by adding to their "net cost" for each a mark-up of 30% of such "net cost". "Net cost" shall mean the price paid for delivery of a customary quantity of the item from the customary supplier and by the usual mode of transportation, if any. Local hauling, loading and unloading shall not be included in "net cost." Such ceiling prices shall be figured to the next cent (raise one-half cent fractions to the next even cent). OPA requires you to keep this notice for examination.

(h) This Order No. 316 may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3586; Filed, March 6, 1943;
2:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 318 Under § 1499.3 (b) of GMPR]

WISHNICK-TUMPEER, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.1754 *Approval of maximum prices for Extendex C.* (a) On and after March 8, 1943 Wishnick-Tumpeer, Incorporated, 295 Madison Avenue at 41st Street, New York City, may sell and deliver a rubber extender known as Extendex C, and any person may buy Extendex C at prices not in excess of those hereinafter set forth:

In quantities of 30,000 pounds or more 25¢ per pound—f. o. b. Chicago, Illinois.

In quantities of less than 30,000 pounds 28¢ per pound—f. o. b. Chicago, Illinois.

(b) The prices set forth above shall be subject to terms by each seller thereof which are no less favorable than those which were in effect during March 1942, with respect to sales by Wishnick-Tumpeer, Incorporated of products distributed through the same channels as Extendex C.

(c) This Order No. 318 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 318 (§ 1499.1754) shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3587; Filed, March 6, 1943;
2:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 122 to Supp. Reg. 14¹ to GMPR]

MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

17 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6965, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 7203, 7230, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7538, 7535, 7536, 7604, 7671, 7739, 7612, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8653, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9043, 9196, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9900, 9900, 9901, 10069, 10111, 10022, 10151, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005, 8 F.R. 276, 437, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 2346, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343.

7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 2029, 2110, 2346.

In § 1499.73 (a) (43) (i) (b) a new sentence is added to the text of the first paragraph as set forth below:

- § 1499.73 * * *
- (a) * * *
- (43) * * *
- (i) * * *
- (b) * * *

If the seller's maximum prices for sales in less than tank car lots cannot be determined under the above provisions in the inferior subdivision (b) the seller's maximum prices for such sales in less than tank car lots, shall be the highest price to each class of purchasers established by his most closely competitive seller under this inferior subdivision (b) for the same type of molasses packed in the same type and size of container.

(b) *Effective dates.* * * *

(114) Amendment No. 122 (§ 1490.73 (a) (43)) to Supplementary Regulation No. 14 shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3582; Filed, March 6, 1943;
2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 123 to Supp. Reg. 14¹ to
GMPR²]

BREAD CRUMBS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (77) is hereby added to paragraph (a) of § 1499.73 of the General Maximum Price Regulation as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6755, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2343, 2354, 2274, 2343, 2346.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

Maximum Price Regulation for certain commodities, services and transactions. (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(77) *Bread crumbs.* The maximum prices for the sale of bread crumbs shall be as follows:

(i) The maximum price or billing charge of every producer and of every other person for the sale or delivery of bread crumbs produced at a given production plant to any person other than an ultimate consumer or for the delivery of such bread crumbs to his distribution outlet shall be 10 cents per pound plus (a) his actual cost of packaging materials, if any, and (b) his actual or estimated actual transportation charges, if any.

(ii) The maximum price of every person or distribution outlet for the sale or delivery of bread crumbs to an ultimate consumer shall be 12.5 cents per pound plus (a) his actual costs of packaging materials, if any, plus (b) his actual or estimated actual transportation charges, if any.

(iii) If the figure resulting contains a fraction of one-half cent or more, it may be adjusted to the next higher cent, or if less than one-half cent, to the next lower cent.

(iv) When used in this subparagraph (77) the term

(a) "Producer" means any person, firm or corporation operating a producing plant at which he manufactures or produces bread crumbs whether or not he also bakes the bread from which the crumbs are produced.

(b) "Ultimate consumer" is any person purchasing bread crumbs for use in prepared foods. However, it does not include cafes, cafeterias, hotels and all other eating places purchasing bread crumbs for use in prepared foods sold or distributed to their customers and all institutions, public or private, purchasing bread crumbs for use in prepared foods for sale or distribution to their customers or inmates.

(c) "Billing charge" is the charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities produced by one and furnished or delivered by another.

(d) "Distribution outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of any other person in selling bread crumbs to ultimate consumers and which concern, concerns or organizations also deals in bread crumbs at other levels of distribution.

(e) "Bread crumbs" is the commodity heretofore known to the trade as such.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3583; Filed, March 6, 1943;
2:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 124 to Supp. Reg. 14¹ to
GMPR²]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (vii) of § 1499.73 (a) (1) is redesignated subdivision (viii) of § 1499.73 (a) (1); subdivisions (b), (c), (j), and (k) of subdivision (ii) of § 1499.73 (a) (1) are revoked; and a new subdivision (vii) is added to § 1499.73 (a) (1), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream.* * * *

(vii) *Maximum prices for approved fluid milk sold and delivered in the Atlanta Regional area.* This subdivision (vii) establishes maximum prices for "approved fluid milk" sold and delivered within certain specified areas of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Maximum prices are established for specified types of wholesale and retail sales of approved fluid milk sold and delivered in glass and paper containers of one quart or less.

This subdivision (vii) fixes adjusted maximum prices for all counties in the

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8959, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 1201, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10584, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2346, 2507.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

State of Mississippi. However, certain counties in the States of Alabama, Georgia, North Carolina, South Carolina, Tennessee, and Virginia have been specifically excepted from this area adjustment.

Specific exception is made of retail sales of approved fluid milk by a hotel, restaurant, soda fountain, cafe, bar, or other eating establishment, such sales remaining in all respects subject to the provisions of the General Maximum Price Regulation.

A formula is provided by which persons who sold premium milk during January 1943 may determine a premium to be added to the prices specified for standard approved fluid milk.

A specific method is provided for the determination of maximum prices for sales and deliveries of approved fluid milk to the Army and Navy. "Army" and "Navy" are defined as including post exchanges, officers' messes, ships' stores ashore, and other related activities. The method of pricing provided for sales to the Army and Navy is applicable to any sale involving the delivery of milk at any point within the boundaries of the Atlanta Regional area, which comprises the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Such sales are covered by this subdivision (vii), whether made by sellers whose plants are located within the Atlanta Regional area, or outside thereof.

This area adjustment does not fix out-of-store or home-delivered retail prices in container sizes less than one quart, because any person who engages in the sale, distribution, or transportation of milk has been prohibited by Food Distribution Order No. 11, issued by the Secretary of Agriculture on January 21, 1943 from using container sizes of less than one quart in making sales of these types.

This subdivision (vii) establishes maximum prices for fluid sweet milk only. It is not applicable to buttermilk, chocolate milk, or other flavored milks, such products remaining subject in all respects to the provisions of the General Maximum Price Regulation.

The adjusted maximum prices authorized by this Amendment supersede the sellers' former ceiling prices as determined under § 1499.2 General provisions of the General Maximum Price Regulation, or under any supplementary or adjustment order issued by the Office of Price Administration.

(a) *Maximum prices for sales other than Army or Navy sales.* The maximum prices set forth below are the maximum prices for approval fluid milk sold and delivered to persons other than the Army or Navy in the respective size and type containers set forth, in the areas specified, before application of the seller's customary allowances, discounts, or other price differentials, which customary allowances, discounts, or other price differentials must be maintained in accordance with the provisions of § 1499.2 General provisions of the General Maximum Price Regulation.

(1) *Mississippi.* The maximum price for approval fluid milk sold and delivered by any person at wholesale or retail in glass and paper containers of one quart or less in Mississippi shall be a price determined either under Pricing Method No. 1 or Pricing Method No. 2 set forth below. [Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 General provisions of the General Maximum Price Regulation.

(i) *Pricing Method No. 1 [Mississippi].* The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum prices] or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17	-----	-----	-----	-----
Retail home-delivered.....	16	17	-----	-----	-----	-----

$\frac{1}{2}$ quart container sizes: the seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Provided: That any seller electing to use Pricing Method No. 1, set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the Mississippi State Office of the Office of Price Administration, Tower Building, Jackson, Mississippi. [This report should be in letter form—no specific form being required].

(ii) *Pricing Method No. 2 [Mississippi].*

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 13	Cts. 14	Cts. 7	Cts. 8	Cts. 3½	Cts. 4¼
Retail out-of-store.....	15	16	-----	-----	-----	-----
Retail home-delivered.....	15	16	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 General

provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price, under this pricing method, of not more than 14¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(2) *Georgia.* (i) The maximum price for approved fluid milk sold and delivered in glass and paper containers of one quart or less in the State of Georgia [with the exception of those counties set forth in subdivision (ii) below] by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17	-----	-----	-----	-----
Retail home-delivered.....	16	17	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under the above pricing method [Georgia] which exceeds the maximum retail price established under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Counties in Georgia not covered above.* The maximum prices for the sale of approved fluid milk in the following counties shall be the established maximum prices under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties:

Bartow	Glynn
Ben Hill	Gordon
Bryan	Liberty
Camden	McIntosh
Chatham	Monroe
Cobb	Stephens
DeKalb	Troup
Fulton	

(3) *Alabama—(i) Zone I—Alabama.* Zone I shall include the following counties in Alabama:

Baldwin	Lamar
Bibb	Lauderdale
Blount	Lawrence
Calhoun	Limestone
Chambers	Madison
Cherokee	Marion
Clay	Marshall
Cleburne	Morgan
Colbert	Pickens
Cullman	Randolph
DeKalb	Saint Clair
Escambia	Shelby
Etowah	Talladega
Fayette	Tuscaloosa
Franklin	Walker
Houston	Winston
Jackson	

The maximum price for approved fluid milk sold and delivered in glass and paper containers by any person at wholesale or retail in Zone I of Alabama shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17				
Retail home-delivered.....	16	17				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price under the General Maximum Price Regulation of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—Alabama.* Zone II shall include the following counties in Alabama:

Autauga	Geneva
Barbour	Greene
Bullock	Hale
Butler	Henry
Chilton	Lowndes
Choctaw	Macon
Clarke	Marengo
Coffee	Monroe
Conecuh	Montgomery
Coosa	Perry
Covington	Pike
Crenshaw	Sumter
Dale	Tallapoosa
Dallas	Washington
Elmore	Wilcox

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Alabama—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 13	Cts. 14	Cts. 7	Cts. 8	Cts. 3½	Cts. 4¾
Retail out-of-store.....	15	16				
Retail home-delivered.....	15	16				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Zone III—Alabama.* Zone III shall include the following counties in Alabama:

Jefferson	Mobile
Lee	Russell

The maximum prices for the sale of approved fluid milk in Zone III—Alabama—shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(4) *Virginia—(i) Zone I—Virginia* [Except the municipalities of Suffolk and Blackstone]. Zone I shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties [excepting the municipality of Blackstone, Nottoway County, and the municipality of Suffolk] in Virginia:

Amelia	Nottoway
Brunswick	Prince George
Greensville	Southampton
Isle of Wight	Sussex
Lunenburg	Surry
Nansemond	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4½	Cts. 5¼
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipality of Blackstone, Nottoway County: The maximum prices for the sale of approved fluid milk in the municipality of Blackstone, Nottoway County, shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such municipality.

Municipality of Suffolk:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 16	Cts. 17	Cts. 8	Cts. 9	Cts. 4½	Cts. 5¼
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 13¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 15¢ per quart.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

(ii) *Zone II—Virginia* [Except Richmond, South Boston, Halifax, and Danville]. Zone II shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, the Nottoway District of Chesterfield County, which is included in Zone IV, and Richmond, South Boston, Halifax, and Danville:

Albemarle	Culpeper
Buckingham	Cumberland
Caroline	Essex
Charles City	Fauquier
Charlotte	Fluvanna
Chesterfield [all districts except Nottoway]	Goochland
	Greene
	Halifax

Hanover
Henrico
King and Queen
King George
King William
Lancaster
Loudoun
Louisa
Madison
Mecklenburg
Middlesex
Nelson

New Kent
Northumberland
Orange
Pittsylvania
Powhatan
Prince Edward
Prince William
Rappahannock
Richmond
Spotsylvania
Stafford
Westmoreland

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17	-----	-----	-----	-----
Retail home-delivered.....	16	17	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢ per quart.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipalities of Richmond, South Boston, Halifax, and Danville:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17	-----	-----	-----	-----
Retail home-delivered.....	16	17	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

$\frac{1}{3}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{3}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) Zone III—Virginia [Except Lynchburg, Covington, Clifton Forge, and Altavista]. Zone III shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties, excepting, however, Lynchburg, Covington, Clifton Forge, and Altavista, in Virginia:

Alleghany	Grayson
Amherst	Henry
Appomattox	Lee
Bedford	Patrick
Bland	Roanoke
Botetourt	Rockbridge
Buchanan	Russell
Campbell	Scott
Carroll	Smyth
Craig	Tazewell
Dickenson	Washington
Floyd	Wise
Franklin	Wythe
Giles	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone III—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 13	Cts. 14	Cts. 7	Cts. 8	Cts. 3½	Cts. 4¼
Retail out-of-store.....	15	16	-----	-----	-----	-----
Retail home-delivered.....	15	16	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

$\frac{1}{3}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{3}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipalities of Lynchburg, Covington, Clifton Forge, and Altavista:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 7	Cts. 8	Cts. 3½	Cts. 4¼
Retail out-of-store.....	15	16	-----	-----	-----	-----
Retail home-delivered.....	15	16	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

$\frac{1}{2}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{2}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iv) Zone IV—Virginia. Zone IV shall include Dinwiddie County and the Natoaca District of Chesterfield County in Virginia.

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone IV—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	17	18	-----	-----	-----	-----
Retail home-delivered.....	17	18	-----	-----	-----	-----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

$\frac{1}{3}$ quart container sizes: The seller shall adjust his maximum wholesale price for $\frac{1}{3}$ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for

retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(v) **Zone V—Virginia** [Except Staunton, Waynesboro, and Harrisonburg]. Zone V shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, Staunton, Waynesboro, and Harrisonburg:

Augusta	Page
Bath	Rockingham
Clarke	Shenandoah
Frederick	Warren
Highland	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone V—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 12	Cts. 13	Cts. 7	Cts. 8	Cts. 3½	Cts. 4½
Retail out-of-store.....	14	15				
Retail home-delivered.....	14	15				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

The municipalities of Staunton, Waynesboro, and Harrisonburg:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 13	Cts. 14	Cts. 7	Cts. 8	Cts. 3½	Cts. 4½
Retail out-of-store.....	14	15				
Retail home-delivered.....	14	15				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds his maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 11¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 13¢.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½

quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(vi) **Zone VI—Virginia.** Zone VI shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties, in Virginia:

Accomac	Montgomery
Arlington	Norfolk
Elizabeth City	North Hampton
Fairfax	Princess Anne
Gloucester	Pulaski
James City	Warwick
Mathews	York

The maximum prices for the sale of approved fluid milk in Zone VI—Virginia—shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(5) **North Carolina—(i) Zone I—North Carolina.** Zone I shall include the following counties in North Carolina:

Beaufort	Lenoir
Brunswick	New Hanover
Carteret	Onslow
Craven	Pamlico
Dare	Pender
Hyde	Tyrrell
Jones	Washington

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—North Carolina—by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2, as set forth below. [Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943, shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 General provision of the General Maximum Price Regulation.

(A) **Pricing Method No. 1** [Zone I—North Carolina]. The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum prices], or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 16	Cts. 17	Cts. 9	Cts. 10	Cts. 4½	Cts. 5½
Retail out-of-store.....	18	19				
Retail home-delivered.....	18	19				

Provided: That any seller electing to use Pricing Method No. 1, as set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the North Carolina State Office of the Office of Price Administration, Post Office Box No. 2718, Raleigh, North Carolina. [This report should be in letter form, — no specific form being required.]

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(B) **Pricing Method No. 2** [Zone I—North Carolina].

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4½	Cts. 5½
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except: That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) **Zone II—North Carolina.** Zone II shall include the following counties in North Carolina:

Alamance	Durham
Anson	Edgecombe
Bladen	Forsyth
Bertie	Franklin
Cabarrus	Gaston
Camden	Gates
Caswell	Granville
Chatham	Greene
Chowan	Gulford
Columbus	Hertford
Cumberland	Hoke
Currituck	Johnston
Davidson	Lee
Duplin	Martin

Mecklenburg	Rowan
Montgomery	Richmond
Moore	Stanly
Nash	Sampson
Northampton	Scotland
Orange	Union
Pasquotank	Vance
Perquimans	Warren
Pitt	Wake
Randolph	Wayne
Robeson	Wilson
Tyrone	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II (North Carolina) by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4 1/4	Cts. 5 1/4
Retail out-of-store.....	17	18				
Retail home-delivered.....	17	18				

Except: That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

1/2 quart container sizes: The seller shall adjust his maximum wholesale price for 1/2 quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Zone III—North Carolina.* Zone III shall include the following counties in North Carolina:

Alexander	Lincoln
Alleghany	McDowell
Ashe	Macon
Avery	Madison
Buncombe	Mitchell
Burke	Polk
Caldwell	Rutherford
Catawba	Stokes
Cherokee	Surry
Clay	Swain
Cleveland	Transylvania
Davie	Watauga
Graham	Wilkes
Haywood	Yadkin
Henderson	Yancey
Iredell	Person
Jackson	

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone III—North Carolina—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17				
Retail home-delivered.....	16	17				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds his maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

1/2 quart container sizes: The seller shall adjust his maximum wholesale price for 1/2 quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries. The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iv) *Zone IV—North Carolina.* Zone IV shall include the following counties in North Carolina:

Halifax Harnett

The maximum prices for the sale of approved fluid milk in Zone IV shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(6) *Tennessee—(i) Zone I—Tennessee.* Zone I shall include the following counties in Tennessee:

Anderson	Lawrence
Blount	Lincoln
Campbell	Loudon
Carter	McMinn
Claiborne	Marion
Cocke	Meigs
Coffee	Monroe
Franklin	Polk
Giles	Rhea
Grainger	Roane
Greene	Scott
Hamblen	Sequatchie
Hamilton	Sevier
Hancock	Sullivan
Hawkins	Unicoi
Jefferson	Union
Johnson	Washington
Knox	Wayne

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—Tennessee—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 13	Cts. 14	Cts. 7	Cts. 8	Cts. 3 3/4	Cts. 4 1/4
Retail out-of-store.....	15	16				
Retail home-delivered.....	15	16				

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 General provisions of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢ per quart.

1/2 quart container sizes: The seller shall adjust his maximum wholesale price for 1/2 quart container sizes, as determined under § 1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—Tennessee.* Zone II shall include the following counties in Tennessee:

Bedford	Lauderdale
Benton	Lewis
Bledsoe	McNairy
Cannon	Macon
Carroll	Madison
Cheatham	Marshall
Chester	Maury
Clay	Montgomery
Crockett	Moore
Cumberland	Morgan
Davidson	Obion
Decatur	Overton
DeKalb	Perry
Dickson	Pickett
Dyer	Putnam
Fayette	Robertson
Fentress	Rutherford
Gibson	Smith
Grundy	Stewart
Hardeman	Sumner
Hardin	Tipton
Haywood	Trousdale
Henderson	Van Buren
Henry	Warren
Hickman	Weakley
Houston	White
Humphreys	Williamson
Jackson	Wilson
Lake	

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone II—Tennessee—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 12	Cts. 13	Cts. 7	Cts. 8	Cts. 3 3/4	Cts. 4 1/4
Retail out-of-store.....	14	15				
Retail home-delivered.....	14	15				

Except: That no seller may establish an adjusted retail price under this pricing method

Shelby County. Maximum wholesale and retail prices for fluid milk and for bulk sales to stores, hotels, restaurants, and institutions in Shelby County, Tennessee are set forth in inferior subdivision (p) of subdivision (i) and (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 [Amendment No. 95 to Supplementary Regulation No. 14].

which exceeds the maximum retail price as determined under § 1499.2, *General provisions*, of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) **Bradley County [Tennessee].** The maximum prices for the sale of approved fluid milk in Bradley County shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such county.

(7) **South Carolina:** The maximum price for approved fluid milk sold and delivered in glass and paper containers of one quart or less within the State of South Carolina [with the exception of Colleton, Horry, and Orangeburg counties] by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2 set forth below. [Any seller may choose either pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 *General provisions* of the General Maximum Price Regulation.

(i) (A) **Pricing Method No. 1 [South Carolina].** The maximum price established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum price] or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 15	Cts. 16	Cts. 8	Cts. 9	Cts. 4½	Cts. 5¼
Retail out-of-store.....	17	18	9	10	5	5½
Retail home-delivered.....	17	18	9	10	5	5½

Except: That any seller electing to use Pricing Method No. 1, as set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the South Carolina State Office of the Office of Price Administration, Liberty Life Building, Columbia, South Carolina. [This report should be in letter form,—no specific form being required.]

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(B) **Pricing Method No. 2 [South Carolina].**

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	Cts. 14	Cts. 15	Cts. 8	Cts. 9	Cts. 4	Cts. 5
Retail out-of-store.....	16	17	9	10	5	5½
Retail home-delivered.....	16	17	9	10	5	5½

Except: That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price, under this pricing method, of not more than 14¢.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) **Colleton, Horry, and Orangeburg counties [South Carolina].** The maximum prices for the sale of approved fluid milk in Colleton, Horry, and Orangeburg counties shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(b) **Sales to the Army and Navy.** (1) The maximum price for approved fluid milk sold and delivered to the Army and Navy in glass and paper containers of one quart or less by any person at any point in the Atlanta Regional Area, which includes the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, shall be:

Where the plant of the seller is located in the Atlanta Regional Area: An amount equal to the maximum wholesale price established for the area wherein such plant is situated, or where the area of the plant's location is one not subject to the provisions of this Supplementary Regulation No. 14, then an amount equal to the seller's established maxi-

mum wholesale price for any class of wholesale purchaser for the particular size and type of container, plus (i) a premium of one-half cent per quart, or a proportionate amount for a part of a quart; or (ii) at the election of such seller, the actual transportation costs from seller's plant to point of delivery, not to exceed lowest common carrier rates: *Provided*, That, in the event the seller elects to add the transportation costs in lieu of one-half cent per quart premium, he shall, within ten days after entering into any contract with the Army or Navy, or after the making of the first delivery to an Army or Navy destination, where no contract has been entered into, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the price established; the transportation charges added, together with the method of computation of the price established and the transportation charges; location of seller's plant; and place of delivery of such milk. [This report should be in letter form,—no specific form being required.]

Where the plant of the seller is located outside the Atlanta Regional Area. An amount equal to the seller's established maximum wholesale price for any class of wholesale purchaser under the General Maximum Price Regulation or any applicable supplementary or adjustment order issued by the Office of Price Administration, plus (i) a premium of one-half cent per quart; or (ii) at the election of such seller, the actual transportation costs from the seller's plant to point of delivery not to exceed the lowest common carrier rates: *Provided*, That any seller making sales or deliveries pursuant to this paragraph, regardless of the method of computation used by him, shall, within ten days after entering into an Army or Navy contract providing for deliveries within the Atlanta Regional area, or, after the making of the first delivery to an Army or Navy destination within such area, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the price established; the transportation charges added, if any, together with the method of computation of the price established and the transportation charges; location of seller's plant; and the place of delivery of such milk. [This report should be in letter form,—no specific form being required.]

(2) **Completion of contracts entered into prior to March 6, 1943.** Any person who has, prior to March 6, 1943, entered into a contract to make deliveries to the Army or Navy at prices properly established under appropriate regulations or orders issued by the Office of Price Administration may, until the expiration date of such contract, deliver and accept payment in accordance with the terms thereof without regard to the provisions of this area adjustment: *Provided*, however, That any such seller shall, on or before March 16, 1943, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the terms of such contract; the dates of execution and termination, together with the method of computing the contract prices; the location of seller's plant; and the place of delivery of such milk.

Upon the expiration of any such contract or a renewal thereof, the maximum prices fixed by the foregoing paragraph (1) shall be applicable to sales and deliveries to the Army or Navy.

(c) *Premium milk.* (1) A person who sold premium milk during January 1943 shall determine the maximum price for such milk as follows:

Take the highest price [before all discounts or quantity differentials have been deducted] at which he sold each different kind, grade, quality, or quantity of premium milk during January 1943 at wholesale, out-of-retail-store, or delivered-to-the-home, respectively.

Next, subtract from each of those prices the highest price [before discounts or quantity differentials have been deducted] at which he sold other approved fluid milk during January 1943 in containers of the same size and type at wholesale, out-of-retail-store, or delivered-to-the-home. The differentials thus obtained shall be the premium for each size and type of container and type of sale. These premiums may then be added to the specific maximum prices for non-premium milk fixed by this area adjustment: *Provided*, That the seller, on or before April 5, 1943, shall file a report with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, showing:

(i) The total quantity, expressed in quarts, of approved fluid milk sold by such seller during January 1943;

(ii) The types of premium milk sold by such seller during January 1943;

(iii) The differential at which he sold each type of such milk during January 1943; and

(iv) The total quantity, expressed in quarts, of each type of premium milk which he sold during January 1943.

The Atlanta Regional Office of the Office of Price Administration, Atlanta, Georgia, may correct the prices so reported and shall revise any such prices if the differential reported is higher than that generally prevailing during January 1943 in the local market area or an adjoining area.

(2) A seller of approved fluid milk who did not sell premium milk, or who sold only premium milk during January 1943, may not add any premium to the maximum prices established under this area adjustment unless he first files an application in writing with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to sell such premium milk at prices requested, and has been granted a price at which to sell such premium milk under an appropriate order issued by such regional office.

(3) No seller of fluid milk who during January 1943 sold premium milk may add any premium to the maximum prices established pursuant to this subdivision if he increases the volume of premium milk sold in any calendar month more than 5% above the volume of such premium milk sold by him during January 1943, unless he shall first file an application with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to increase the volume of such premium milk sales, and has been granted such permission under an appropriate order issued by such Regional Office.

Any application filed pursuant to the foregoing subdivisions (2) or (3) shall contain the following:

(i) If the application is made by a seller who sold premium milk during January 1943, it shall contain a copy of the report required by the foregoing subdivision (c) (1);

(ii) A description of the different types of premium milk sold in the area in which the

applicant desires to establish maximum prices for premium milk, or in which the applicant desires to increase the volume of premium milk which he sells, as the case may be. If no premium milk is sold in the area served by the seller, the application shall so state;

(iii) The maximum prices of such premium milk established pursuant to the foregoing inferior subdivision (c) by the applicant or other sellers of premium milk in the area served by the applicant;

(iv) A specific description of the kind, grade, and quality of the premium milk or milks concerning which the application is made;

(v) A full and complete statement of the reasons justifying the application for classifying such milk as premium milk, or for an increase in the volume of sale of an already established premium milk, as the case may be. It shall include a full statement showing that a denial of the application will result in substantial hardship to the applicant, and that a shortage or threatened shortage of a type of milk necessary to a standard of living consistent with the prosecution of the war will result from such denial;

(vi) If the applicant was not selling premium milk during January 1943, the application shall show the total quantity of approved fluid milk, expressed in quarts, sold by him in January 1943, together with the quantity of premium milk which the applicant proposes to sell and the premium, expressed in cents per quart, which he desires to add to the maximum price established pursuant to this subdivision. If the applicant was not in the business of selling fluid milk during January 1943, he shall additionally show the total quantity of approved fluid milk, expressed in quarts, sold by him during the last calendar month preceding the application.

(d) *Calculations.* (1) On single sales at retail wherein the adjusted maximum price results in a fraction of a cent, the seller may adjust the price upward to the full cent if the fraction is $\frac{1}{2}$ ¢ or more, and shall decrease the price to the lowest even cent if the fraction is less than $\frac{1}{2}$ ¢. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established by the applicable subdivision shall be multiplied by the number of units. If the computation results in a fraction of a cent, the total shall be adjusted up or down to the nearest full cent, and, in such adjustment, a half-cent may be adjusted upward to the nearest full cent. Home-deliveries shall be considered multiple unit sales unless separate collections are made for single units delivered.

(e) *Exempt sales under this area adjustment.* (1) The provisions of this subdivision (vii) shall not be applicable to retail sales of approved fluid milk by a hotel, restaurant, soda fountain, bar, café, or other similar eating establishment. Such sales remain subject in all respects to the provisions of the General Maximum Price Regulation.

(2) The provisions of this subdivision (vii) shall not apply to buttermilk, chocolate milk, or other flavored milks. Such sales remain subject in all respects to the general provisions of the General Maximum Price Regulation.

(3) The maximum prices fixed by this subdivision (vii) are not applicable to sales and deliveries to the Army or Navy under a contract entered into prior to March 6, 1943, during the term thereof.

(f) *Adjustment of maximum prices.* The Atlanta Regional Office of the Office of Price Administration may, upon application of any seller, or on its own motion, adjust any maximum price established under this subdivision (vii) of Supplementary Regulation No. 14 where it appears:

(1) That a shortage in the supply of approved fluid milk in a particular locality exists or threatens to exist;

(2) That such a local shortage will be substantially reduced or eliminated by adjusting the maximum price of such seller and of like sellers; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Such applications shall be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(g) *Definitions.* For purposes of this subparagraph (1):

(1) "Approved fluid milk" means fluid cows' milk, raw or pasteurized, at least satisfying the minimum butterfat content and sanitary and health requirements for fluid milk sold for human consumption in the particular area wherein it is delivered, including standards set by purchasing officers for sales to the Army or Navy.

(2) "Sales to the Army or Navy" means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores ashore, officers' messes, and stores operated as Army canteens, post exchanges, or ships' activities.

(3) "Atlanta Regional Area" means the territory lying within the geographic boundaries of the following States: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

(4) "Premium milk" means certified milk, homogenized milk whose Vitamin D content has been artificially increased, and any other approved fluid milk for which the particular seller customarily charged a premium during January 1943 in excess of such seller's established maximum price for his standard approved fluid milk, or any other such milk as may be classified as premium milk by any order issued by the Atlanta Regional Office of the Office of Price Administration pursuant to an application duly filed in accordance with the provisions of this subdivision (vii).

Amendment No. 124 to Supplementary Regulation No. 14 shall become effective on March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3584; Filed, March 6, 1943; 2:46 p. m.]

*7 F.R. 8961.

PART 1499—COMMODITIES AND SERVICES
[Amendment 125 to Supp. Reg. 14¹ to
GMPR²]

"MEMPHIS, TENN., AREA," DEFINITION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (1) (viii) (r) is amended to read as follows:

(r) "Memphis, Tennessee area" means all of the area included in Shelby County, Tennessee.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3585; Filed, March 6, 1943;
2:32 p. m.]

PART 1364—FRESH, CURED, AND CANNED
MEAT AND FISH PRODUCTS

[MPR 343]

SALT CURED HERRING

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for processors of salt cured herring.

Pursuant to the above authority, the Price Administrator has established prices in this regulation that are generally fair and equitable and will effectuate the purposes of the Act, and will promote more equitable distribution of salt cured herring through normal trade channels.

The maximum prices established herein are not below the average prices of salt cured herring in the year 1941.

Determination of prices established herein has been made after consulting and advising with representative members of the industry which will be affected by the regulation.

A statement of considerations involved in the issuance of the regulation has

been issued herewith and filed with the Division of the Federal Register.*

§ 1364.1152 *Maximum processors' prices for salt cured herring.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 343 (Salt Cured Herring), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1152, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION No. 343—SALT
CURED HERRING

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ARTICLE I—MAXIMUM PROCESSORS' PRICES,
PROHIBITION AND SCOPE OF REGULATION

SECTION 1 *Maximum processors' prices for salt cured herring.* (a) The prices set forth below are maximum prices f. o. b. the shipping point nearest the processor's warehouse. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes. Actual storage may be added for sales made after September 1.

Mild cured, in bulk, per 1000 fish.....	\$15.40
Mild cured, in usual baskets per 250 fish.....	4.10
Fully cured, in usual tubs per 300 fish.....	6.80
Fully cured, in usual baskets per 250 fish.....	5.15

(b) For container sizes, or types and styles of pack of salt cured herring not listed in paragraph (a) the price shall be the price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C. and accompanied by sworn statements showing costs and usual differentials.

SEC. 2 *Sales of salt cured herring at higher than maximum prices prohibited.*

(a) On or after March 6, 1943, regardless of any contract, agreement, or other obligation, no processor shall sell or deliver any salt cured herring and no person in the course of trade or business shall buy or receive any salt cured herring at prices higher than the maximum prices established by this regulation, and

no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

SEC. 4 *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of salt cured herring to a purchaser, if prior to March 6, 1943, such salt cured herring have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

SEC. 5 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation¹ with respect to sales and deliveries for which maximum prices are established by this regulation. (b) The maximum price at which a person may export salt cured herring shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

ARTICLE II—LIMITATION, RECORD KEEPING,
ENFORCEMENT AND AMENDMENT

SEC. 6 *Conditional agreement.* No seller of salt cured herring shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by Sec. 1 in the event that this regulation is amended or is determined by a court to be invalid, or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

SEC. 7 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every processor making a sale and every person making a purchase of salt cured herring in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after March 6, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchaser or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the style of pack, and the container size of salt cured herring.

(b) Such person shall, subject to the approval of the Bureau of the Budget in

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2343, 2854, 2274, 2346, 2507.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

¹ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9436, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1024, 1317, 2029, 2110, 2346.

² 7 F.R. 5059, 7242, 8829, 9000, 10530.

accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 8 Evasion. The price limitation set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to salt cured herring alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade, size, name, container or style of processing salt cured herring.

SEC. 9 Enforcement. (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any Act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or of its principal office in Washington, D. C.

ARTICLE III—MISCELLANEOUS

SEC. 10 Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 11 Definitions. (a) When used in this maximum price regulation the term:

"Fully cured" means herring that have been cured and are re-packed with additional salt treatment and stored for sale after May.

"Mild cured" means herring that have been cured by salt treatment for sale during the months of March, April and May.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

"Processor" means a person who cures herring by salt treatment in the usual form.

"Salt cured herring" means fish (Alewives) caught in streams joining the Atlantic Ocean that have been beheaded, eviscerated, and preserved by salt treatment.

Effective date. This regulation shall become effective March 6, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3610; Filed, March 6, 1943;
5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 5 to Supplement 1¹ to Ration Order 11]

FUEL OIL RATIONING REGULATIONS

A new subparagraph (5) is added to § 1394.9101 (a), as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) * * *

(5) The value of one unit represented by coupons numbered "5" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "5" on Class 2 coupon sheets are hereby fixed as:

(i) Ten (10) gallons and one hundred (100) gallons, of fuel oil, respectively, in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Oregon, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida (east of the Apalachicola River), the District of Columbia, Washington, Kentucky, and those parts of the States of Kansas, Missouri, Illinois, Indiana and Ohio which lie in Thermal Zone C;

(ii) Eleven (11) gallons and one hundred and ten (110) gallons, of fuel oil, respectively, in the States of North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and those parts of the States of Kansas, Missouri, Illinois, Indiana and Ohio which lie in Thermal Zone B.

(b) *Effective dates.* * * *

(5) Amendment No. 5 to Supplement No. 1 (§ 1394.9101) shall become effective on March 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3608; Filed, March 6, 1943;
5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,² Amendment 48]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

¹ 7 F.R. 8708.

² 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598.

Ration Order No. 11 is amended in the following respects:

1. In § 1394.5201 (b) (1) the phrase "March 18, 1943" is amended to read "March 11, 1943."

2. In § 1394.5201 (b) (2) the phrase "March 13, 1943" is amended to read "March 8, 1943."

This amendment shall become effective March 6, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3609; Filed, March 6, 1943;
5:08 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Rev. MPR 218,¹ Amendment 3]

EASTERN WOODEN MINE MATERIAL AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1426.53 and 1426.54 (b) (1) are amended as set forth below:

§ 1426.53 *Maximum prices.* The maximum prices, except for pit posts, are established f. o. b. the railroad loading-out point nearest to the mill in the direction of the normal route of shipment to destination. The maximum prices for pit posts are established delivered to the buyer's mine.

The maximum prices are as follows:

§ 1426.54 (b) *Transportation addition.* (1) No matter how delivery is made, whether by rail, private trucking, contract or common carrier trucking, or any combination of these, the only permissible addition for delivery is the weight of the material times the applicable carload freight rate from the nearest rail loading-out point in the direction of normal route of shipment to destination. Where mine material is brought in and shipped out of a treatment plant at treatment-in-transit rates, the transit rate shall be used rather than the carload rate.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3613; Filed, March 6, 1943;
5:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 7149, 7367, 8948, 9824; 8 F.R. 493, 1028.

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES[Temporary MPR 28¹ Amendment 2]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1439.251 is amended to read as follows:

§ 1439.251 *Purposes of this regulation.* The purposes of this regulation are to establish maximum prices for sales and deliveries of each kind, variety, and type of the following fresh fruits and vegetables whether imported or domestic:

(a) Tomatoes; (b) Cabbages; (c) Carrots; (d) Snap beans; (e) Green peas; perishable fruits and vegetables listed above are referred to in this regulation as "listed commodities."

2. Section 1439.253 (c) is added to read as follows:

(c) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust for the duration of this regulation any maximum price established by this regulation for any seller, or group of sellers, in any area or locality within its jurisdiction whenever it appears that the maximum price established for such seller, or group of sellers is higher or lower than the maximum prices generally prevailing in the region and thereby disrupts, or threatens to disrupt, the normal distribution of any listed commodity. When adjusted, the maximum prices shall be fixed in line with those generally prevailing in the region.

3. Section 1439.254 (a) is amended so that the date therein appearing as February 18, 1942 shall read February 18, 1943.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS BROWN,
Administrator.

Approved by:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3615; Filed, March 6, 1943;
5:09 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES[Temporary MPR 29,² Amendment 1]CERTAIN PERISHABLE FRUITS AND VEGETABLES
(LETTUCE AND SPINACH)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

*Copies may be obtained from Office of Price Administration.

¹ 8 F.R. 2396, 2499.

² 8 F.R. 2499.

has been filed with the Division of the Federal Register.*

1. Section 1439.304(c) is added to read as follows:

(c) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust for the duration of this regulation any maximum price established by this regulation for any seller, or group of sellers, in any area or locality within its jurisdiction whenever it appears that the maximum price established for such seller, or group of sellers, is higher or lower than the maximum prices generally prevailing in the region and thereby disrupts, or threatens to disrupt, the normal distribution of any listed commodity. When adjusted, the maximum prices shall be fixed in line with those generally prevailing in the region.

2. Section 1439.305(a) is amended so that the date therein appearing as February 25, 1942 shall read February 20, 1943.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3612; Filed, March 6, 1943;
5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 129 to Supp. Reg. 14¹ to
GMPR¹]

TRANSPORTATION OF FLUID MILK BY MOTOR
TRUCK

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (73) of § 1499.73 (a) is hereby revoked.

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9106, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 14551, 1460, 1633, 1467, 1813, 1894, 19478, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346, 2507, 2665.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

This amendment shall become effective as of March 1, 1943.

(Pub. Law Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3616; Filed March 6, 1943;
5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 317 Under § 1499.3 (b) to GMPR]

H. J. HEINZ AND CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1753 *Authorization of maximum prices for sales of Heinz Brand frozen baked beans (17½ ounce package) and Heinz Brand baked beans with molasses sauce (3 quart glass jar) by H. J. Heinz and Company and by retailers—* (a) *Heinz Brand quick-frozen baked beans (17½ ounce package).* (1) *Sales by H. J. Heinz and Company.* On and after March 8, 1943, the maximum prices in sales by H. J. Heinz and Company, having its principal place of business at Pittsburgh, Pennsylvania, of Heinz Brand frozen baked beans shall be:

\$1.85 per dozen delivered to retailers in Zone No. 1.	
\$1.93 per dozen delivered to retailers in Zone No. 2.	
\$2.02 per dozen delivered to retailers in Zone No. 3.	
\$1.98 per dozen delivered to retailers in Zone No. 4.	
\$2.07 per dozen delivered to retailers in Zone No. 5.	
\$2.07 per dozen delivered to retailers in Zone No. 6.	
\$2.07 per dozen delivered to retailers in Zone No. 7.	

(2) *Sales by retailers.* Retailers shall determine their maximum prices for Heinz Brand frozen baked beans by adding to their net cost of this item a profit margin of 36% of net cost. However, the maximum selling prices per package so determined shall not exceed:

Zone No. 1.....	\$0.21
Zone No. 2.....	.22
Zone No. 3.....	.23
Zone No. 4.....	.22
Zone No. 5.....	.24
Zone No. 6.....	.24
Zone No. 7.....	.24

"Net cost" for any retailer shall be his invoice price for Heinz Brand frozen baked beans delivered to his customary receiving point in a customary quantity of this type of item by the customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall be included.

(b) *Heinz Brand baked beans with molasses sauce; sales by H. J. Heinz and Company.* On and after March 8, 1943, the maximum prices in sales by H. J. Heinz and Company of Heinz Brand baked beans with molasses sauce shall

be \$6.90 per dozen delivered in Zone No. 1. For deliveries to zones other than Zone No. 1, H. J. Heinz and Company shall add in each case the freight differential for that zone which it has customarily added in the past for this type of item.

(c) The zones referred to in this order are the zones now established by H. J. Heinz and Company in fixing selling prices. They are indicated on the accompanying diagram.¹

(d) H. J. Heinz and Company shall give the same discounts, cold storage allowances, and other allowances which it gives on other baked bean items handled by it when making sales of Heinz Brand frozen baked beans and Heinz Brand baked beans with molasses sauce. No seller shall change any of these discounts if the change results in a higher selling price.

(e) On and after March 8, 1943, H. J. Heinz and Company shall supply a written notification to each retailer before or at the time of the first delivery of Heinz Brand frozen baked beans to that retailer. Except for the proper insertions, the written notification shall read as follows:

Notification from H. J. Heinz and Company to Retailers

OPA has authorized us to charge retailers in your area the following price for the 17½ ounce package of Heinz Brand frozen baked beans: \$----- per dozen delivered to you, subject to all customary discounts and other allowances. OPA authorizes retailers to establish selling prices for this item by adding to their net cost to the retailer 36% of that net cost. "Net cost" means the invoice cost at your customary receiving point, less all discounts other than for prompt payment, and excluding charges for local hauling. These ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). However, your ceiling price for this item per package must not exceed \$----- per package. OPA requires that you keep this notice for examination.

(f) This Order No. 317 may be revoked or amended at any time by the Price Administrator.

(g) This Order No. 317 (§ 1499.1753) shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3617; Filed, March 6, 1943;
5:09 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 24, Supp. 2]

PART 310—MERCHANT MARINE TRAINING

MISCELLANEOUS AMENDMENTS

General Order No. 24 (Emergency Regulations Governing the Appointment and Training of Cadets in the United States Merchant Marine Cadet Corps) is

¹ Filed as part of the original document.

amended, effective March 1, 1943, by striking out all of §§ 310.47 (b) and (c), 310.54 (d) and 310.55 (a) and inserting in lieu thereof the following:

§ 310.47 General requirements. * * *

(b) A candidate must be not less than 17 years and six months of age nor more than 23 years of age on the date his application is approved.

* * * * *

(e) A candidate may be admitted to a Basic School or the Academy for preliminary training at an age of not less than 17 years and six months, but will not be assigned to a merchant vessel until he has reached his eighteenth birthday. In the event a candidate does not execute oath as Cadet within four months of the date of approval of his application, his name may be removed from the eligible list at the discretion of the Supervisor. In no event shall a candidate's name remain on the eligible list for a period exceeding six months.

§ 310.54 Eligibility lists. * * *

(d) The names of candidates over 17 years and nine months of age shall neither be placed on the eligible lists nor shall they be appointed Cadets until they have been enrolled and have received training in the United States Maritime Service. A favorable recommendation from the Superintendent of the particular United States Maritime Service Training Station at which a candidate received training, must be obtained before his name is placed on the eligible list. Any candidate over 17 years and nine months of age whose application was received prior to March 1, 1943, and who executes oath as Midshipman, Merchant Marine Reserve of the United States Naval Reserve, before May 1, 1943, shall be exempt from the provisions of this section, providing he is ordered to report for preliminary training by May 1, 1943.

§ 310.55 Appointments and assignments.

(a) A successful candidate, who has passed the Naval Reserve physical examination, shall be appointed a Cadet by the Supervisor and assigned by the District Instructor to preliminary training and basic Naval Science classes at a designated Basic School or the Academy. Appointments shall be made in accordance with state and territory quotas which are based on comparative populations as determined from the last census. The Supervisor may, however, appoint, not to exceed a total of ten Cadets each month, from all states or territories whose quotas are filled, providing the Superintendent of a Maritime Service Training Station certifies that such candidates have been outstanding during their period of training as apprentice seamen.

(E.O. 9198, July 11, 1942; 7 F.R. 5383)

E. S. LAND,
Administrator.

MARCH 5, 1943.

[F. R. Doc. 43-3546; Filed, March 5, 1943;
4:54 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 112, Corrected]

PART 95—CAR SERVICE

FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3rd day of March, A. D. 1943.

It appearing that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.305 Free time on fresh or green fruits or vegetables in refrigerator cars. (a) The maximum free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be 48 hours, computed from the first 7:00 a. m. after the first notice and placement on any hold or inspection track or unloading track, or constructive placement on an other-than-public-delivery track, until car is unloaded, provided that the time between receipt of an order to move a car from one location to another and placement of the car at the new location shall not be counted against the car, except that any period of time between 7:00 a. m. of the day an order to move a car is received and the hour such order is received shall be counted as one day. The provisions of this order shall apply whether the car is reconsigned or reshipped to other points within the switching limits of the destination. For purposes of this order the destination shall be any point of railroad delivery within the switching limits of the city or town at which the car is unloaded. The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) insofar as the provisions thereof are inconsistent with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones I.C.C. 3722, or similar rules in other demurrage tariffs, relating to the cancellation or refunding of demurrage under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each railroad, on or before the effective date of this section, and upon

not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein, and establish the substitute provisions above set forth.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3634; Filed, March 8, 1943;
11:32 a. m.]

[Service Order 113, corrected]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON FLAT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay and shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.501 *Demurrage charges on flat cars.* (a) After expiration of the free time allowed, the demurrage charges on heavy duty flat cars of 151,000 pounds or over marked capacity shall be \$2.20 per car per day or fraction thereof for the first two days, \$5.50 for the third day, and \$15.00 per car per day for each succeeding day or fraction thereof, these cars not to be included in an average agreement. After expiration of the free time allowed, the demurrage charges on all other flat cars shall be \$2.20 per car per day or fraction thereof for the first two days, \$5.50 for the third day, and \$11.00 per car per day for each succeeding day or fraction thereof, these cars when held for loading or unloading to be included in the patrons' average agreement if one is in effect, but the \$5.50 per day and \$11.00 per day charges may not be offset or reduced by credits earned on other cars. The operation of all rules in Agent B. T. Jones' I.C.C. 3722, or similar demurrage tariffs (other than port demurrage tariffs), insofar as the provisions thereof are inconsistent with this order, are suspended except to the extent that such rules exempt private cars from demurrage while on the tracks of the owner or lessee. This order shall not affect demurrage rule No. 8 of Agent

B. T. Jones' I.C.C. 3722, or similar rules in other demurrage tariffs, relating to the cancelation or refunding of demurrage under emergency conditions. This order shall not apply to special type cars of AAR mechanical designation "LF" or "LFA". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each railroad, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein, and establish the substitute provisions above set forth.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3635; Filed, March 8, 1943;
11:32 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING FORM FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of February, A. D. 1943.

In the matter of annual reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 120.70 *Form prescribed for persons furnishing cars or protective service.* (a) All persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies within the scope of section 20 of Part I of the Interstate Commerce Act and owning 1,000 cars or more, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form B-1, which is hereby approved and made a part of this order.¹

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington,

¹ Form filed as part of the original document.

D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3633; Filed, March 8, 1943;
11:32 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

PART 201—ALASKA FISHERIES: GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

§ 201.21b *Native fishing rights.* No trap shall be established in any site in which any Alaskan native or natives has or have any rights of fishery, by virtue of any grant or by virtue of aboriginal occupancy, by any person other than such native or natives, but this section shall not be construed as permitting any exercise of such rights contrary to any of the provisions of these regulations. Any native or natives claiming such rights may petition the Secretary of the Interior for a hearing with respect to the validity of such claim, and prior to any such determination such claimant and any interested parties desiring to appear in opposition to such claim shall have an opportunity to be heard.

PART 204—BRISTOL BAY AREA SALMON FISHERIES

Section 204.2 is hereby amended to read as follows:

§ 204.2 *Districts open to salmon fishing.* Commercial fishing for salmon is prohibited except within the following-described districts:

(a) *Hagemeister district.* Waters of Hagemeister Strait from 161 degrees 40 minutes west longitude to 160 degrees 38 minutes west longitude.

(b) *Nushagak district.* Waters of Nushagak Bay within a line from Point Protection to Etolin Point.

(c) *Kvichak-Naknek district.* Waters of Kvichak Bay within a line from Etolin Point to Middle Bluff Light on the eastern side of Kvichak Bay.

Section 204.6 is hereby amended to read as follows:

§ 204.6 *Districts open to stake and set nets.* Commercial fishing for salmon with stake nets or set or anchored gill nets shall be limited to beach areas between high and low water marks, exclusive of bars or flats that at low tide are not connected by exposed land to the shore or places not covered at high tide, and shall be confined to the following places:

(a) *Nushagak district.* Along the beach, except on the west side of Nushagak Bay from a point 2 statute miles south of Bradford Point to Coffee Point, and except along the east side of that bay

from a point 2,500 yards southeast of Ekuk Bluff Light to Etolin Point.

(b) *Kvichak Bay*. Along the beach on the southeast shore of the bay from Prosper Creek to Coffee Creek.

(c) *Naknek Bay*. Along the beach on the north side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 1,500 yards outside such markers, and along the beach on the south side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 3,000 yards outside such markers.

Section 204.12 is hereby amended to read as follows:

§ 204.12 *Opening date for red-salmon fishing*. Prior to 6 o'clock antemeridian June 25 in each year commercial fishing for salmon with nets of mesh less than 8½ inches stretched measure between knots, is prohibited.

Section 204.13 is hereby amended to read as follows:

§ 204.13 *Closed seasons, salmon fishing*. Commercial fishing for salmon is prohibited in the period from 6 o'clock antemeridian July 25, to 6 o'clock antemeridian August 3.

Section 204.14 *Open season, red-salmon fishing, Ugashik*, is hereby revoked and deleted.

Section 204.20 is hereby amended to read as follows:

§ 204.20 *Waters closed to salmon fishing*. All commercial fishing for salmon is prohibited as follows:

(a) *Nushagak Bay*. All waters northward of a line from a marker 2 statute miles below Bradford Point to a marker on the opposite shore at Nushagak Point: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted to the old prohibitive line from Snag Point to the old village on the east bank.

(b) *Kvichak Bay*. All waters above a line extending across Kvichak Bay from the Squaw Creek Light to a marker on the opposite side at Coffee Creek Point: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on the southeast shore from Prosper Creek to Coffee Creek.

(c) *Naknek Bay*. All waters within 1 statute mile of the mouth of the Naknek River: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on each side of the bay to a point 1,200 yards above the drift gill net prohibitive markers.

PART 208—KODIAK AREA FISHERIES

Salmon Fishery

A new section, to be known as § 208.17 is hereby inserted, following § 208.16, to read as follows:

§ 208.17 *Closed season, Karluk fishery*. All commercial fishing for salmon in the waters between Cape Karluk and the former site of the Uyak Post Office is prohibited in the period from 6 o'clock antemeridian July 26 to 6 o'clock antemeridian August 9.

Herring Fishery

Section 208.24 *Closed seasons, herring fishing*, is hereby revoked and deleted.

Section 208.25 is hereby amended to read as follows:

§ 208.25 *Herring catch limitations; exceptions*. In the period from July 1 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 200,000 barrels, upon the basis of 250 pounds per barrel, in the waters of Shelikof Strait southeast of a line extending down the middle of the Strait from the latitude of Point Banks to the latitude of Cape Alitak and in all contiguous waters, including the waters of Kupreanof and Raspberry Straits eastward to the western extremity of Whale Island and the waters of Shuyak Strait. In the period from October 16 of one year to June 30 of the succeeding year the total take of herring in these waters for commercial purposes, except for bait and except by gill nets, shall not exceed 10,000 barrels, of which not more than 2,000 barrels shall be taken in the period October 16 to November 15, both dates inclusive, and not more than 4,000 barrels shall be taken in any succeeding 30-day period.

PART 209—COOK INLET AREA FISHERIES

Salmon Fishery

Section 209.2 is hereby amended to read as follows:

§ 209.2 *Open seasons, salmon fishing*. (a) Between the latitude of the established stream marker marking the south limit of the closed area around the mouth of Kasilof River at approximately 60 degrees 22 minutes 23 seconds north latitude to the latitude of Anchor Point Light, exclusive of all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 4 in each year: *Provided*, That this prohibition shall not apply to the use of gill nets from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10.

(b) South of the latitude of Anchor Point Light commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 8 in each year: *Provided*, That this prohibition shall not apply to the use of beach seines or gill nets from 6 o'clock antemeridian August 22 to 6 o'clock postmeridian September 10.

(c) North of the latitude of the marker marking the south limit around the mouth of Kasilof River as described herein under paragraph (a), including all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian June 25 and after 6 o'clock postmeridian August 4 in each year: *Provided*, That this prohibition shall not apply (1) after 6 o'clock antemeridian May 25 to the use of gear having mesh not less than 8½ inches stretched measure between

knots, or to gill nets of which not to exceed 35 fathoms in use by any individual or on any boat may have mesh less than 8½ inches stretched measure between knots, and (2) from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10 to the use of gill nets.

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Salmon Fishery

Section 211.10 is hereby amended to read as follows:

§ 211.10 *Closing dates for salmon fishing*. Commercial fishing for salmon, other than trolling, is prohibited during the remainder of each calendar year after 6 o'clock postmeridian August 5: *Provided*, That this prohibition shall not apply to trolling and gill netting through August 22 in the waters along the western coast from the outer point on the north shore of Granite Bay (known as Granite Bay Point) to the light on the south shore of the entrance to Port Nellie Juan.

Herring Fishery

Section 211.14 is hereby amended to read as follows:

§ 211.14 *Herring catch limitations, June 24 to August 20*. In the period from June 24 to August 20, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 25,000 barrels, upon the basis of 250 pounds per barrel, in the waters of the Prince William Sound area which includes all territorial coastal and tributary waters of the Gulf of Alaska between Cape Fairfield on the west and Point Whittshed on the east.

Section 211.15 is hereby amended to read as follows:

§ 211.15 *Herring catch limitations, August 21 to October 15*. In the period from August 21 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 50,000 barrels, upon the basis of 250 pounds per barrel in the waters of the Prince William Sound area which includes all territorial coastal and tributary waters of the Gulf of Alaska between Cape Fairfield on the west and Point Whittshed on the east. In the period from October 16 of one year to June 23 of the succeeding year the taking of herring for commercial purposes, except for bait and except by gill nets, is prohibited.

Clam Fishery

Section 211.28 is hereby amended to read as follows:

§ 211.28 *Maximum take of razor clams from certain central bars*. Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from

the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 212—COPPER RIVER AREA FISHERIES

Section 212.18 is hereby amended to read as follows:

§ 212.18 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

Herring Fishery

Section 220.3 is hereby amended to read as follows:

§ 220.3 *Herring catch limitation; exceptions.* In the period from June 1 to September 30, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 100,000 barrels, upon the basis of 250 pounds per barrel: *Provided, however*, That not more than 75,000 barrels shall be taken from the waters along the west coast of Baranof Island, including the coasts of adjacent small islands, from Point Kakul on the north to Cape Ommaney on the south, and along the southeast coast of Baranof Island between Cape Ommaney and Paterson Point.

A new section, to be known as § 220.10c is hereby inserted, following § 220.10b, to read as follows:

§ 220.10c *Herring fishing restricted in Chatham Strait.* All commercial fishing for herring, except for bait and except by gill nets, is prohibited in the waters of Chatham Strait and contiguous waters along the western shore of Admiralty Island between Point Gardner and a point at 57 degrees 40 minutes north latitude.

Shrimp Fishery

Section 220.16 is hereby amended to read as follows:

§ 220.16 *Closed season, shrimp fishing.* Commercial fishing for shrimp is prohibited in the period from February 1 to April 15, both dates inclusive, in each year.

Section 220.17 is hereby amended to read as follows:

§ 220.17 *Protection of small shrimp.* Not more than 25 percent of the number of shrimp in any box or container taken at any time for commercial purposes shall be less than 3 inches in length, measured from the tip of the horn to the tip of the tail.

PART 222—SOUTHEASTERN ALASKA AREA, ICY STRAIT DISTRICT, SALMON FISHERIES

Section 222.3 is hereby amended to read as follows:

§ 222.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Section 223.3 is hereby amended to read as follows:

§ 223.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 224—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

Section 224.3 is hereby amended to read as follows:

§ 224.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 227—SOUTHEASTERN ALASKA AREA, CLARENCE STRAIT DISTRICT, SALMON FISHERIES

Section 227.3 is hereby amended to read as follows:

§ 227.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 228—SOUTHEASTERN ALASKA, SOUTH PRINCE OF WALES ISLAND DISTRICT, SALMON FISHERIES

Section 228.12 is hereby amended to read as follows:

§ 228.12 *Areas open to salmon traps.*

(r) *Ship Islands, Cordova Bay.* Within 300 yards west of the southern extremity of the eastern large island of the Ship Islands group at 54 degrees 53 minutes 39 seconds north latitude, 132 degrees 30 minutes 06 seconds west longitude.

PART 229—SOUTHEASTERN ALASKA AREA, SOUTHERN DISTRICT, SALMON FISHERIES

Section 229.3 is hereby amended to read as follows:

§ 229.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

Section 229.8 is hereby amended to read as follows:

§ 229.8 *Closed seasons, salmon fishing.* Commercial fishing for salmon, other than trolling, is prohibited prior to 6 o'clock antemeridian July 15, from 6 o'clock postmeridian August 16 to 6 o'clock antemeridian October 5, and for the remainder of each calendar year after 6 o'clock postmeridian October 25.

The amendments contained in this document shall be in full force and effect immediately from and after the date of their publication in the FEDERAL REGISTER.

(Sec. 1, 44 Stat. 752; 48 U.S.C. 221)

OSCAR L. CHAPMAN,
Assistant Secretary.

FEBRUARY 24, 1943.

[F. R. Doc. 43-3600; Filed, March 6, 1943; 2:55 p. m.]

Chapter IV—Office of the Coordinator of Fisheries

[Order 1787]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN TERRITORY OF ALASKA

Whereas, by Executive Order No. 9280 of December 8, 1942 (7 F.R. 10179), the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas, by Food Directive No. 2 of February 8, 1943 (CFR Title 7, Chapter 11, Part 1400) (8 F.R. 1777), the Secretary of Agriculture delegated to me, among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas, by Food Directive No. 2, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942 (7 F.R. 5657), as I may designate; and

Whereas it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Territory of Alaska with a minimum utilization of critical material, manpower and shipping facilities; and

Whereas representatives of practically the entire salmon canning industry in the Territory of Alaska have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Territory of Alaska; Now, therefore, it is hereby ordered:

§ 401.1 Salmon canning industry in the Territory of Alaska—(a) Jurisdiction. Complete control and authority over the salmon canning industry in the Territory of Alaska solely for the purposes herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (*Oncorhynchus nerka*); pink or humpback (*Oncorhynchus gorbuscha*); silver, medium red, or coho (*Oncorhynchus kisutch*); chum or keta (*Oncorhynchus keta*); king, chinook, or spring (*Oncorhynchus tshawytscha*); steelhead or steelhead trout (*Salmo gairdneri*).

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1943 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) Salmon canning for commercial purposes prohibited in the Territory of Alaska except as herein provided. No person shall engage in canning salmon for commercial purposes in the Territory of Alaska, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the effective date of this order and prior to January 1, 1944, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directions, orders, and regulations as he may from time to time prescribe. Until otherwise ordered by the Fishery Coordinator, any person

named in Schedule A hereof may engage in canning salmon, during the period herein prescribed, in the nucleus plant set forth opposite his name in the schedule. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate, either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant.

SCHEDULE A I—BRISTOL BAY

Name of person	Nucleus plant	Number of lines
(1) Pacific American Fisheries, Inc., Naknek and Pacific American Fisheries, Inc., Nornek.	Pacific American Fisheries, Inc., Naknek.	3
(2) Nakat Packing Corp., Kvichak, and Intercoastal Packing Co., Floating.	Nakat Packing Corp., Kvichak.	3
(3) Libby, McNeill & Libby, Koglung, and Libby, McNeill & Libby, Libbyville.	Libby, McNeill & Libby, Koglung.	4
(4) Alaska Packers Assn., Naknek (NN), and Alaska Packers Assn., Naknek (M).	Alaska Packers Assn., Naknek (NN).	4
(5) Alaska Packers Assn., Koglung (J), and Alaska Packers Assn., Coffee Creek (X).	Alaska Packers Assn., Koglung (J).	4
(6) Red Salmon Canning Co., Naknek, and Alaska Salmon Co. (2 canneries), Peterson Point.	Red Salmon Canning Co., Naknek.	4
(7) Columbia River Packers Assn., Naknek, and Libby, McNeill & Libby, Libbyville.	Columbia River Packers Assn., Naknek.	3
(8) Pacific American Fisheries, Inc., Snug Point.	Pacific American Fisheries, Inc., Snug Point.	1
(9) Libby, McNeill & Libby, Ekuk, and Columbia River Packers Assn., Combine Creek.	Libby, McNeill & Libby, Ekuk.	3
(10) Alaska Packers Assn., Clark Point, and Alaska Salmon Co., Wood River.	Alaska Packers Assn., Clark Point.	3
(11) Red Salmon Canning Co., Ugashik, and Alaska Packers Assn., Ugashik.	Red Salmon Canning Co., Ugashik.	1

II—ALASKA PENINSULA

(1) Pacific American Fisheries, Inc., Squaw Harbor; Alaska Pacific Salmon Co., Sand Point; Alaska Native Consolidated Canning Co., Sand Point.	Pacific American Fisheries, Inc., Squaw Harbor.	3
(2) P. E. Harris & Co., False Pass; Pacific American Fisheries, Inc., King Cove.	P. E. Harris & Co., False Pass.	2
(3) P. E. Harris & Co., False Pass; Pacific American Fisheries, Inc., King Cove.	Pacific American Fisheries, Inc., King Cove.	3
(4) Peninsula Packing Co., Port Moller; Pacific American Fisheries, Inc., Port Moller.	Peninsula Packing Co., Port Moller.	1

III—CHIGNIK

(1) Alaska Packers Assn., Chignik; Chignik Packing Co., Chignik.	Alaska Packers Assn., Chignik.	2
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IV—KODIAK—AFOGNAK

(1) Pacific American Fisheries, Inc., and Alaska Packers Assn., Alitak Bay; Far North Packing Co., Moser Bay.	Pacific American Fisheries, Inc., and Alaska Packers Assn., Alitak.	2
(2) San Juan Fishing and Packing Co., Uganik; Uganik Fisheries, Inc., Uganik.	San Juan Fishing and Packing Co., Uganik.	2
(3) Kodiak Fisheries Co., Port Bailey.	Kodiak Fisheries Co., Port Bailey.	2

SCHEDULE A—Continued IV—KODIAK—AFOGNAK—Continued

Name of person	Nucleus plant	Number of lines
(4) Kodiak Fisheries Co., Shearwater.	Kodiak Fisheries Co., Shearwater.	1
(5) Frank McConaghy Co., Inc., Kodiak.	Frank McConaghy Co., Inc., Kodiak.	1
(6) Washington Fish & Oyster Co., Port Williams.	Washington Fish & Oyster Co., Port Williams.	1
(7) Grimes Packing Co., Ouzinkie.	Grimes Packing Co., Ouzinkie.	1
(8) Parks Canning Co., Uyak Bay; Alaska Red Salmon Packers, Carmel.	Parks Canning Co., Uyak Bay.	1
(9) Sandvik Hand Cannery, Uganik.	Sandvik Hand Cannery, Uganik.	1

V—COOK INLET

(1) Libby, McNeill & Libby, Kenai.	Libby, McNeill & Libby, Kenai.	2
(2) Emard Packing Co., Anchorage.	Emard Packing Co., Anchorage.	2
(3) General Fish Co., Anchorage.	General Fish Co., Anchorage.	1
(4) Kodiak Island Fish, Trading & Packing Co., Seldovia.	Kodiak Island Fish, Trading & Packing Co., Seldovia.	1
(5) Cook Inlet Packing Co., Seldovia.	Cook Inlet Packing Co., Seldovia.	1
(6) Fidalgo Island Packing Co., Port Graham.	Fidalgo Island Packing Co., Port Graham.	1
(7) Snug Harbor Packing Co., Snug Harbor.	Snug Harbor Packing Co., Snug Harbor.	1
(8) Alaska Year Round Canneries, Seldovia.	Alaska Year Round Canneries, Seldovia.	1
(9) Port Chatham Packing Company, Portlock.	Port Chatham Packing Co., Portlock.	1
(10) Alfred Jones, Homer....	Alfred Jones, Homer.	1
(11) Berry Packing Company, Kenai.	Berry Packing Co., Kenai.	1

VI—RESURRECTION BAY

(1) Hagen & Company, Seward.	Hagen & Co., Seward.	1
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VII—PRINCE WILLIAM SOUND

(1) New England Fish Co., Cordova; Central Alaska Packing Co., Shepard Point; W. R. Gilbert Co., Whittier; G. P. Halferty, Inc., Cordova; Pioneer Sea Foods, Cordova.	New England Fish Co., Cordova; Pioneer Sea Foods, Cordova.	2
(2) Copper River Packing Co., Port Nellie Juan; Ellamar Packing Co., Ellamar.	Copper River Packing Co., Port Nellie Juan.	2
(3) San Juan Fishing & Packing Co., Port San Juan; Port Ashton Packing Co., Port Ashton.	San Juan Fishing & Packing Co., Port San Juan.	2
(4) Herman J. Sontag, Dayville.	Herman J. Sontag, Dayville.	1
(5) Copper River Cooperative Company.	Copper River Cooperative Co.	1
(6) Crystal Falls Fish Company, Mountain Slough.	Crystal Falls Fish Co., Mountain Slough.	1
(7) Gulf Packing Company, Cordova.	Gulf Packing Co., Cordova.	1

VIII—YAKUTAT

(1) Libby, McNeill & Libby, Yakutat.	Libby, McNeill & Libby, Yakutat.	2
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SCHEDULE A—Continued

IX—ICY STRAIT

Name of person	Nucleus plant	Number of lines
(1) Burnett Inlet Salmon Co., Elfin Cove; Cape Cross Salmon Co., Pelican City.	Burnett Inlet Salmon Co., Elfin Cove.	1
(2) Icy Strait Salmon Co., Hoonah.	Icy Strait Salmon Co., Hoonah.	0
(3) Astoria & Puget Sound Canning Co., Excursion Inlet; Pacific American Fisheries, Excursion Inlet.	Astoria & Puget Sound Canning Co., Excursion Inlet.	3
(4) Haines Packing Co., Letnikof Cove.	Haines Packing Co., Letnikof Cove.	1
(5) Juneau Packing Company, Idaho Inlet.	Juneau Packing Co., Idaho Inlet.	1

X—WESTERN DISTRICT

(1) Sitka Fish Company, Sitka.	Sitka Fish Co., Sitka.	1
(2) Todd Packing Co., Todd.	Todd Packing Co., Todd.	1
(3) New England Fish Co., Chatham; Hood Bay Canning Co., Hood Bay.	New England Fish Co., Chatham.	2
(4) Superior Packing Co., Tenakee; Salt Sea Fisheries, Tenakee.	Superior Packing Co., Tenakee.	2
(5) P. E. Harris & Co., Hawk Inlet.	P. E. Harris & Co., Hawk Inlet.	2

XI—EASTERN DISTRICT

(1) Libby, McNeill & Libby, Taku.	Libby, McNeill & Libby, Taku.	1
(2) P. E. Harris & Co., Kake.	P. E. Harris & Co., Kake.	2
(3) Douglas Fisheries Inc., Douglas.	Douglas Fisheries Inc., Douglas.	1
(4) Burnett Inlet Salmon Co., Saginaw Bay.	Burnett Inlet Salmon Co., Saginaw Bay.	1
(5) Sebastian Stuart Fish Co., Tyee.	Sebastian Stuart Fish Co., Tyee.	1
(6) Pacific American Fisheries, Inc., Petersburg.	Pacific American Fisheries, Inc., Petersburg.	2
Dean C. Kayler, Scow Bay; Alaska Glacier Sea Food, Petersburg; Fidalgo Island Packing Co., Pillar Bay.	Fidalgo Island Packing Co., Pillar Bay.	2

XII—WEST COAST DISTRICT

(1) Hydaburg Canning Co., Hydaburg.	Hydaburg Canning Co., Hydaburg.	1
(2) Nakat Packing Corp., Waterfall.	Nakat Packing Corp., Waterfall.	2
(3) Peratrovich & Son Packing Co., Klawock; Craig Packing Co., Craig.	Peratrovich & Son Packing Co., Klawock.	1
(4) Libby, McNeill & Libby, Craig; New England Fish Co., Noyes Island.	Libby, McNeill & Libby, Craig.	2
(5) Bellingham Canning Co., Klawock.	Bellingham Canning Co., Klawock.	1

XIII—KETCHIKAN-WRANGELL

(1) Northern Packing Co., Ketchikan; Wards Cove Packing Co., Wards Cove; Balcom-Payne Co., Ketchikan.	Wards Cove Packing Co., Wards Cove.	2
(2) P. E. Harris & Co., Rose Inlet; P. E. Harris & Co., Sunny Point; Beele Packing Co., Ketchikan.	P. E. Harris & Co., Sunny Point.	2
(3) New England Fish Co., Ketchikan; Libby, McNeill & Libby, George Inlet.	New England Fish Co., Ketchikan.	2

SCHEDULE A—Continued

XIII—KETCHIKAN-WRANGELL—Continued

Name of person	Nucleus plant	Number of lines
(4) Fidalgo Island Packing Co., Ketchikan; Nakat Packing Corp., Union Bay; Nakat Packing Corp., Hidden Inlet.	Fidalgo Island Packing Co., Ketchikan; Nakat Packing Corp., Hidden Inlet.	2
(5) Annette Island Canning Co., Metlakatla; Balcom-Payne Co., Ketchikan.	Annette Island Canning Co., Metlakatla.	3
(6) Pacific American Fisheries, Inc., Kaasan.	Pacific American Fisheries, Inc., Kaasan.	2
(7) Whiz Packing Co., Ketchikan; Ketchikan Packing Co., Ketchikan; Independent Salmon Canneries, Ketchikan.	Ketchikan Packing Co., Ketchikan.	2
(8) A. R. B. Packing Co., Wrangell; Farwest Alaska Co., Wrangell; Burnett Inlet Salmon Co., Burnett Inlet.	Farwest Alaska Co., Wrangell.	2

(d) *Restrictions applicable to specific persons named in Schedule A.* (1) Each of the nucleus plants designated in Schedule A as "Alaska Packers Association, Koggiung (j)," "Libby, McNeill and Libby, Ekuk," and "Alaska Packers Association, Clark Point," shall operate one of the lines assigned to it at a rate not exceeding 150 cans per minute.

(2) Each of the nucleus plants designated in Schedule A as "Astoria and Puget Sound Canning Company, Excursion Inlet," and "Haines Packing Co., Letnikof Cove," shall operate one of the lines assigned to it exclusively for the packing of one-half pound cans.

(3) The nucleus plant designated in Schedule A as "P. E. Harris and Co., False Pass" shall not be operated after July 9, 1943, and the nucleus plant designated in Schedule A as "Pacific American Fisheries, Inc., King Cove" shall not be operated on or before July 9, 1943.

(e) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule "A" providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule "A" are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe an agreement which will protect adequately the rights of the persons affected thereby.

(f) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreason-

able burden without facilitating the production of canned salmon in the Territory of Alaska may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding paragraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(g) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(h) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(i) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1943 (or for such other periods of time as the Fishery Coordinator may provide), and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(j) *Violations.* Any person who willfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or Agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed

to the Office of Fishery Coordination, United States Department of the Interior, Washington, D. C.

(l) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the Department of the Interior.

(m) *Orders and regulations.* The Fishery Coordinator may issue such directions, orders, or regulations as he may deem necessary to accomplish the purposes of this order.

(n) *Authority of Deputy Fishery Coordinator.* For the purpose of this order, the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(o) *Effective date.* This order shall become effective immediately.

Issued this 3d day of March 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-3573; Filed, March 5, 1943;
5:06 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-354]

HOMER MICHAEL

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore, by order of the Director, dated February 6, 1943, scheduled for hearing at 10 o'clock in the forenoon of March 11, 1943, at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from 10 o'clock in the forenoon of March 11, 1943 to 10 o'clock in the forenoon of March 18, 1943 at the place aforesaid and before the officer or officers previously designated to preside.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3562; Filed, March 6, 1943;
11:24 a. m.]

[Docket No. B-350]

EARL M. READ

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore, by Order of the Director, dated February 6, 1943, scheduled for hearing on March 13, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from 10 o'clock in the forenoon of March 13, 1943, to 11 o'clock in the forenoon of March 16, 1943, at the place and before the officer heretofore designated.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3561; Filed, March 6, 1943;
11:24 a. m.]

[Docket No. 1516-FD]

STONE MINING COMPANY, INC.

ORDER REOPENING MATTER AND NOTICE OF AND ORDER FOR HEARING

The above-entitled proceeding having been instituted upon a complaint duly filed with the Bituminous Coal Division (the "Division") on January 13, 1941, by the Bituminous Coal Producers Board for District No. 11, alleging that Stone Mining Company, Inc., a code member, had wilfully violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code"), or rules and regulations promulgated thereunder, and praying that the Division enter an order directing the said code member to cease and desist from violations of the Code and minimum prices established thereunder, and take such other and further action as the Division may deem just and proper; and

A hearing on the complaint having been scheduled by Notice of and Order for Hearing, entered herein on January 31, 1941 and said hearing having been held before a duly authorized Examiner of the Division on March 10, 1941, after which hearing opportunities were given to the said code member to file briefs and to request oral argument before the Director; and

The Examiner's Report in this matter having been waived by the parties and thereafter the Director having issued herein on August 22, 1941 an Order enjoining and restraining the said code member, its officers, representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in its behalf or interest from selling coal produced by the said code member at less than the applicable effective minimum prices established therefor, contrary to the said Act or any rules or regulations promulgated thereunder; and

Information in the possession of the Division indicating that the said code member has failed to comply with the Bituminous Coal Act and rules and regulations thereunder, in that it or its agents, servants, employees, officers, or representatives or persons acting or claiming to act in its behalf or interest, have sold coal produced by such persons at prices less than the applicable minimum prices established for such coal in disregard of the said Order entered herein on August 22, 1941; and

It appearing necessary in the proper administration of the Act to reopen the above-entitled matter pursuant to the provisions of section 5 (b) of the Act;

Now, therefore, it is ordered, That the above-entitled matter be, and it hereby is, reopened for the purpose of taking evidence to determine whether the above-named code member, its officers, representatives, agents, servants, employees, attorneys, or persons acting or claiming to act in its behalf or interest, have failed to comply with the said order entered herein on August 22, 1941, and whether, upon the basis of the violations alleged in the complaint as well as upon the indicated violations herein-after referred to, an order should be entered herein revoking the membership of such code member in the Code and its right to an exemption from the taxes imposed by section 3 (b) of the Act (section 3520 of the Internal Revenue Code).

It is further ordered, That a hearing with respect to any failure to comply with the said Order dated August 22, 1942, shall be held on March 18, 1943, at 10 o'clock a. m. at a hearing room of the Bituminous Coal Division at Davless Circuit Court Owensboro, Kentucky.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence and to continue said hearing from time to time and to such places as he may direct by announcement at said hearing, or any adjourned hearing, or by subsequent notice and to prepare and submit proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Stone Mining Company, Inc., and to all other parties herein, and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in proceedings instituted pursuant to section 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date herein set for hearing on the reopened matter.

The matter concerned herewith is in regard to whether the Stone Mining Company, Inc., or its officers, representatives, agents, servants, employees, attorneys, or all persons acting or claiming to act in its behalf or interest, failed to comply with the order entered herein on August 22, 1941, in that said persons sold approximately 5314.96 net tons of coal produced at the S & S Mine, Mine Index No. 810, in District No. 11, operated by or on behalf of Stone Mining Company, Inc., to the McCurdy Hotel, Evansville, Indiana, during the period from March 1, 1941 to September 30, 1942, at prices ranging from \$1.12 to \$1.75 per net ton f. o. b. destination, whereas the applicable minimum price for such coal ranged from \$1.40 per net ton to \$1.70 per net ton, to which price there should have been added a cost as nearly

as practicable to the actual charge for transportation, handling, or incidental charges of whatsoever kind or character from the mine to the point where such charges were assumed and directly paid by the purchaser as required by Price Instruction No. 5 of the Schedule of Effective Minimum Prices for District No. 11, for Truck Shipments.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3630; Filed, March 8, 1943;
10:53 a. m.]

[Docket No. B-280]

KIRKPATRICK COAL CO.

ORDER EXTENDING TIME, ETC.

Order extending time within which to file application based upon admissions for disposition of compliance proceeding without formal hearing, extending time to file answer, and postponing hearing.

In the matter of Kirkpatrick Coal Company, registered distributor, registration No. 5103.

The above-entitled matter having been heretofore scheduled for hearing on March 17, 1943, at a hearing room of the Bituminous Coal Division (the "Division"), at Room 306 Post Office Building, Memphis, Tennessee, by a Notice of and Order for Hearing issued herein on February 9, 1943; and

An application dated February 26, 1943 having been filed on March 1, 1943 with the Division by the said registered distributor, requesting that (1) the time within which it may file with the Division an application pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division for disposition of this proceeding without formal hearing, be extended until March 15, 1943; (2) the time within which it may file its answer herein be extended to April 1, 1943; and (3) that the hearing herein be postponed to a time hereafter to be determined by the Director after the said answer has been filed; and

It appearing to the Director that good cause having been shown for the granting of said application in part as herein-after provided:

Now, therefore, it is ordered, That the time within which the said registered distributor may file its application in the above-entitled matter, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division, be, and the same hereby is, extended to and including March 15, 1943; and

It is further ordered, That the time within which the said registered distributor may file its answer in the above-entitled matter be, and the same hereby is, extended to and including March 19, 1943; and

It is further ordered, That the said hearing in the above-entitled matter be, and the same hereby is, postponed to a time and place to be hereafter designated by an appropriate order; and

Notice is hereby given that the above-entitled matter may, in the discretion of

the Director, be rescheduled for hearing at any time after March 19, 1943 upon ten days written notice.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3631; Filed, March 8, 1943;
10:53 a. m.]

General Land Office.

[Public Land Order 93]

UTAH

ORDER WITHDRAWING PUBLIC LAND FOR USE
IN CONNECTION WITH PROSECUTION OF WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. title 43, sec. 315), It is ordered, As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 16 S., R. 14 E., Sec. 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described contains 40 acres.

The order of the Secretary of the Interior of May 7, 1935, establishing Utah Grazing District No. 7, is hereby modified to the extent necessary to permit the use of the land as herein provided.

ABE FORTAS,

Acting Secretary of the Interior.

FEBRUARY 27, 1943.

[F. R. Doc. 43-3627; Filed, March 8, 1943;
10:21 a. m.]

[Air-Navigation Site Withdrawal 199]

UTAH

ORDER WITHDRAWING LAND FOR AIRPORT

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), and section 1 of the act of June 28, 1934, 48 Stat. 1269 (U.S.C., title 43, sec. 315), It is ordered, As follows:

Subject to valid existing rights, the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, as a site for an airport and access road, the reservation to be known as Air-Navigation Site Withdrawal No. 199:

SALT LAKE MERIDIAN

T. 7 N., R. 17 W.,
Sec. 6, lots 1, 2, 3, 4, 5, 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ -
NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 418.34 acres.

This order shall take precedence over, but shall not rescind or revoke, the order

of the Secretary of the Interior dated April 8, 1935, establishing Grazing District No. 1, Utah.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,

Acting Secretary of the Interior.

FEBRUARY 22, 1943.

[F. R. Doc. 43-3628; Filed, March 8, 1943;
10:21 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 8, 1943. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Division of the Apparel Industry

Anthracite Shirt Company, 1 South Franklin Street, Shamokin, Pennsylvania; Work shirts and dress shirts; 10 percent (T); March 8, 1944.

The Berkley Company, N. E. Cor. 11th & Washington Avenue, Philadelphia, Pennsylvania; Neckwear, mattress covers, wool shirts, cotton shirts; 10 learners (T); March 8, 1944. (This certificate replaces the one now have for five learners bearing the expiration date of February 8, 1944.)

Michael Berkowitz Co., Inc., Uniontown, Pennsylvania; Men's shirts and pajamas; 10 percent (T); March 8, 1944.

Crystal Springs Shirt Corporation, Crystal Springs, Mississippi; Men's shirts; 10 percent (T); March 8, 1944.

The Fitz Overall Company, 832 Commercial Street, Atchison, Kansas; Overalls, and jackets, pants and blankets, lined jackets; 10 learners (T); March 8, 1944.

Franklin Frocks, Incorporated, Trevorton, Pennsylvania; Rayon wash dresses; 58 learners (E); September 8, 1943.

James S. Fuller, Incorporated, 45 Pine Grove Avenue, Kingston, New York; Men's dress Army and Navy shirts; 10 learners (T); March 8, 1944.

Gem Undergarment Company, Incorporated, Slatedale, Pennsylvania; Ladies' slips; 10 percent (T); March 8, 1944.

Parkesburg Dress Company, Parkesburg, Pennsylvania; Ladies' cotton dresses; 10 learners (T); March 8, 1944.

Practical Frocks, Incorporated, 1004 Elizabeth Avenue, Elizabeth, New Jersey; Cotton housecoats and dresses; 10 percent (T); March 8, 1944.

Reliance Manufacturing Company, South Magnolia Street, Laurel, Mississippi; Navy shirts, work shirts and pants; 70 learners (E); July 8, 1943.

Reliance Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; U. S. Navy shirts, work shirts; 50 learners (E); July 8, 1943.

Smith Brothers Manufacturing Company, 4th and Francis Streets, St. Joseph, Missouri; Overalls, work pants, wool Army pants and work coats; 10 percent (T); October 26, 1943. (This certificate replaces the one stating "no learners may be employed on Government work.")

Southland Manufacturing Company, 741 Florida Avenue, Jacksonville, Florida; Shirts and pants; 10 percent (T); March 8, 1944.

The Spaide Shirt Co., 165 Brugh Avenue, Butler, Pennsylvania; Field jackets, battle blouses, wool shirts; 10 percent (T); March 8, 1944.

Stephens Garment Company, 122-124 Railroad Street, Toccoa, Georgia; Army and work trousers; 10 percent (T); March 8, 1944.

Topps Manufacturing Company, Rochester, Indiana; Coveralls, work

pants and shirts; 10 percent (T); March 8, 1944.

Victory Manufacturing Company, Englewood, Tennessee; Children's shirts and sportswear; 22 learners (E); July 8, 1943.

Louis Zupnick, New Freedom, Pennsylvania; Children's dresses; 8 learners (T); March 8, 1944.

Gloves Industry

Gloversville Knitting Company, Beaver Street, Gloversville, New York; Knit wool gloves; 5 learners (T); March 8, 1944.

Hosiery Industry

Athens Hosiery Mills, Incorporated, Telico Avenue, Athens, Tennessee; Seamless hosiery; 5 percent (T); March 8, 1944.

Commonwealth Hosiery Mills, Randleman, North Carolina; Seamless hosiery; 5 percent (T); March 8, 1944.

Thomas Mills, Incorporated, 319 Malory Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); March 8, 1944.

Propper-McCallum Hosiery Company, Incorporated, 136 West Street, Northampton, Massachusetts; Full-fashioned hosiery; 5 percent (T); March 8, 1944.

Knitted Wear Industry

Leininger Knitting Mills, Orwigsburg, Pennsylvania; Underwear and outerwear; 5 learners (T); March 8, 1944.

Textile Industry

Aristocrat Narrow Fabric Company, 5600 Tacony Street, Philadelphia, Pennsylvania; Tapes and webbings; 3 learners (T); March 8, 1944.

Cleveland Silk Mills, Incorporated, 38th Street, Cleveland, Tennessee; Rayon; 20 learners (E); September 8, 1943.

Dwight Manufacturing Company, Alabama City, Alabama; Cotton; 3 percent (T); March 8, 1944.

Cigars Industry

General Cigar Company, Shenandoah, Pennsylvania; Cigars; 42 learners (E); Hand cigar makers for a learning period of 960 hours and packers for a learning period of 320 hours at 75% of the applicable minimum wage until September 7, 1943.

Signed at New York, N. Y., this 6th day of March, 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-3624; Filed, March 8, 1943; 9:33 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

LOUIS GALLET KNITTING MILLS AND
HILLSDALE MFG. CO.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section

6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 8, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

Name and address of firm, product, number of learners. Learning period, learner wage, learner occupations, expiration date

Louis Gallet Knitting Mills, Penn-Craft, East Millsboro, Pennsylvania; Knitted underwear; 10 learners (E); Operator on hand knitting machine for a learning period of 160 hours at 30¢ per hour until June 8, 1943.

Hillsdale Manufacturing Company, Frankfort, Indiana; Canvas leggings; 90 learners (E); Machine operator for a learning period of 320 hours at 30¢ per hour until September 8, 1943.

Signed at New York, N. Y., this 6th day of March 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-3625; Filed, March 8, 1943; 9:33 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4876]

BERLOU MANUFACTURING COMPANY

CORRECTED ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D. 1943.

In the matter of Bernhardt Peterson, individually and trading as Berlou Manufacturing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 16, 1943, at ten o'clock in the forenoon of that day (eastern

standard time) in Room 17, Federal Building, Marion, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3632; Filed, March 8, 1943;
11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[General Order 47]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

AUTHORIZATION OF DIRECTOR FOR ALASKA

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125,¹ Executive Order No. 9280,² Food Distribution Administration Food Directive No. 3, and Food Directive No. 4, War Production Board Directive No. 1 and all applicable supplementary directives thereto now or hereafter issued, the following order is prescribed:

(a) The Director of the Office of Price Administration for the Territory of Alaska is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all food and all other material in the Territory of Alaska;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3526; Filed, March 5, 1943;
3:25 p. m.]

[General Order 48]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

AUTHORIZATION OF DIRECTOR FOR HAWAII

Pursuant to the authority conferred upon the Administrator by Executive

Order No. 9125,¹ Executive Order No. 9280,² Food Distribution Administration Food Directive No. 3, and Food Directive No. 4, War Production Board Directive No. 1 and all applicable supplementary Directives thereto now or hereafter issued, the following order is prescribed:

(a) The Director of the Office of Price Administration for the Territory of Hawaii is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all food and all other material in the Territory of Hawaii;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3528; Filed, March 5, 1943;
3:25 p. m.]

[Administrative Exception Order 1 Under
Ration Orders 6 and 13]

WILLMARK SERVICE SYSTEM, INC.

ORDER GRANTING EXCEPTION

Administrative Exception Order No. 1 Under General Ration Order 6 (War Ration Book Two) and Ration Order 13 (Processed Foods).

The Willmark Service System, Inc., is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's salesclerks. The method used involves the making of a complete purchase of an article and observing the actions of the salesclerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client in a way to prevent revealing to the client's employees the identity of the individual making the test. The corporation, through its employees, normally makes 31,000 test purchases of processed food each year. The Willmark Service System, Inc., requests authority to secure ration currency to enable it to continue to make test purchases of processed foods in the course of its business.

The granting of the request in this and all similar cases would not defeat

or impair the effectiveness of the policy of the ration order because it would not increase the quantity of processed foods withdrawn from civilian supply.

It is hereby ordered, That Willmark Service System, Inc., of 250 West 57th Street, New York, New York, is authorized to receive from the Office of the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., War Ration Book Two which its employees may use to make purchases of processed foods in the manner otherwise permitted by Ration Order 13.³ Willmark Service System, Inc., must open a processed foods ration bank account at a bank in which it has a dollar checking account, in accordance with the provisions of General Ration Order 3A.⁴

As soon as practical after making a purchase of processed foods, Willmark Service System, Inc., shall return the processed foods to the client from whom the rationed commodity was purchased. Upon the return of the processed foods, the client shall issue to the Willmark Service System, Inc., a ration check for the points represented by the stamps given for the processed foods so returned. The Willmark Service System, Inc., shall deposit in its processed foods ration bank account all such ration checks and, at the end of each ration period, all unused blue ration stamps that were valid during the concluded period. Willmark Service System, Inc., shall not use the War Ration Books Two issued to it under this to acquire processed foods from any person who does not have a processed foods ration bank account. Within 10 days after the end of each ration period, Willmark Service System, Inc., must issue to the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., a certified ration check equal in value to the total processed foods points available to the Willmark Service System, Inc., for use (in purchasing processed foods) during that ration period. Willmark Service System, Inc., will be held strictly accountable for any discrepancy between the processed food points available to it for use during any ration period and the points represented by the certified ration check which it must surrender to the Office of Price Administration after the close of the period. The Willmark Service System, Inc., and each of its clients shall keep complete records of the transactions entered into under this order and the records shall show the points received, the processed foods purchased and returned, the ration checks issued, and the date of each transaction. The only stamps in War Ration Book Two valid at the present time are the blue stamps. When the red stamps are validated for the rationing of other commodities, Willmark Service System, Inc., must open a ration bank account for those commodities. Willmark Service System, Inc., must deposit in that ration bank account, at the end of each ration

¹ 7 F.R. 2719.

² 7 F.R. 10179.

³ 8 F.R. 1840, 2288.

⁴ 8 F.R. 1130, 1449, 1963.

period, the red ration stamps that were valid during the concluded period. Within 10 days after the end of each ration period (for the commodities for which the red stamps will be used) Willmark Service System, Inc., must issue to the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., a certified ration check equal in value to the total point value of the red stamps, valid for that ration period, in the War Ration Books Two issued to Willmark Service System, Inc. Willmark Service System, Inc., will be held strictly accountable for any discrepancy between the points for any ration period, represented by the red stamps in the War Ration Book Two issued to them, and the points represented by the certified check drawn on its commodity ration bank account and surrendered to the Office of Price Administration after the close of the period.

It is hereby further ordered, That any other person similarly situated may be authorized on similar conditions to open a ration bank account and to be issued War Ration Books Two. Such authority may be granted in writing by the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C.

This order shall become effective March 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive No. 1, 7 F.R. 562)

Issued this 5th day of March 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-3527; Filed, March 5, 1943;
3:22 p. m.]

[Order 5 Under Rev. MPR 125]

FOREST HILL FOUNDRY COMPANY

ADJUSTMENT OF MAXIMUM PRICE

Order No. 5 under Revised Maximum Price Regulation No. 125—Nonferrous Castings—Docket No. 3125-5.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Forest Hill Foundry Co. of Newark, New Jersey may sell and deliver to the persons specified below and said persons may buy and receive from The Forest Hill Foundry Co. of Newark, New Jersey the nonferrous castings described and listed adjacent to their names at prices not higher than those specified:

Customers	Castings	Price in cents per pound
Acme Gauge & Instrument Co.	All cored castings.....	32
	All uncured castings.....	31½
	All bronze castings.....	32½
Anaconda Wire & Cable Co.	All copper castings.....	36
	Gun metal shapes.....	47
Franklin Machine Products Co.	All castings.....	31½
Mueller Steam Specialty Co., Inc.	All bonnets.....	30
	All other castings.....	32½
	85-5-5-5 Bushings.....	26½
	All other 85-5-5-5 castings.....	31½
S & H Bearing & Manufacturing Co.	8-10-2 and 80-10-10 castings.....	34
American Gas Accumulator Co.	Patterns No. 234; 359; 1381; 2359; 2361; 74; 101; 270; 272; 273; 574; 1226; 1260; 1261; 1262; 1264; 1884; 2288; 2355; 2356; 2368; 2369; 2462; 60; 62; 82; 97; 1265; 2286; 2287; 2289; 2465; 2466; 975; 976; 107; 228; 232; 239; 274; 1132; 1259; 1295; 1814; 1815; 1817; 1822; 271; 410; 2468; 2469; 1263.....	30½
	270; 272; 273—If gas tight.....	31½

(b) The maximum prices established by this Order No. 5 need not be reduced to comply with § 1395.15 (b) of Revised Maximum Price Regulation No. 125.

(c) All of the prayers of the petition not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 5 shall become effective as of May 11, 1942.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3522; Filed, March 5, 1943;
3:21 p. m.]

[Order 1 Under MPR 149]

BAUER AND BLACK DIVISION OF THE KENDALL COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 1 Under § 1315.21a (e) of Maximum Price Regulation No. 149—Mechanical Rubber Goods.

On November 13, 1942, the Bauer and Black Division of the Kendall Company of Chicago, Illinois, asked for approval of a proposed method of determining maximum prices for various special tapes. On December 2, 1942, Amendment No. 3 to Maximum Price Regulation No. 149 was issued. This amendment became effective on December 8, 1942. Provision is made in this amendment for specific authorization of methods of determining maximum prices for articles which cannot be priced under any other provision of the regulation. Accordingly, the company's letter of November 13, 1942, has been treated as an application under that provision (paragraph (e) of § 1315.21a) of the regula-

tion. Due consideration has been given to the application and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) This Order No. 1 is applicable to any pressure sensitive adhesive tape produced by the Bauer and Black Division of the Kendall Company, hereinafter referred to as the "manufacturer", the maximum price of which cannot be determined under paragraph (a) of § 1315.21a of Maximum Price Regulation No. 149.

(b) The maximum price of such tape shall be determined as follows: The manufacturer shall first determine the direct costs of the tape being priced. The direct costs are the sum total of direct labor and direct materials costs. These costs shall be determined in accordance with provisions of paragraph (a) (2) of § 1315.21a of Maximum Price Regulation No. 149. The manufacturer shall then determine his maximum price by multiplying this figure by 200%. *Provided,* That the maximum price shall not exceed 125% of total costs. Total costs shall be determined by using the bases and rates that the manufacturer used in determining those costs on October 1, 1941, at the volume of production in his plant on that date.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3521; Filed, March 5, 1943;
3:24 p. m.]

[Amendment 1 to Order 36 Under MPR 188]

JOHN BRUNO

AUTHORIZATION OF MAXIMUM PRICE

Amendment No. 1 to Order No. 36 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of a maximum price for crushed limestone manufactured by John Bruno.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 36, issued pursuant to § 1499.161 (a) of Maximum Price Regulation No. 188, is hereby amended to read as set forth below:

(a) On and after January 2, 1943, John Bruno, an individual located at Mechanicville, New York, is authorized

to sell, deliver and invoice crushed limestone to the West Virginia Pulp and Paper Company at Mechanicville, New York, at a price not in excess of \$2.67 per net ton delivered.

(b) All prayers in the petition not granted herein are denied.

(c) John Bruno shall submit such reports to the Office of Price Administration as it may from time to time require.

(d) This Amendment No. 1 to Order No. 36 may be revoked or amended by the Price Administrator at any time.

(e) This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3525; Filed, March 5, 1943;
3:34 p. m.]

[Order 185 Under MPR 188]

E. S. SAUL COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 185 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by E. S. Saul Company, 4500 Maynard Avenue, Seattle, Washington, of wood platform for single bed, child's play yard and floor, and child's full-sized crib.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) E. S. Saul Company, Seattle, Washington, may sell and deliver the articles listed herein at prices f. o. b. Seattle, Washington, no higher than those set forth below:

	<i>Unpainted</i>
#6000—Wood Platform for Single Bed	\$3.90
#6001—Child's Play Yard and Floor	3.65
#6002—Child's Full-sized Crib	5.65

The above prices shall be subject to a 20% discount to jobbers and wholesalers, and terms 2% 20 days.

(b) This Order No. 185 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 185 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3531; Filed, March 5, 1943;
3:20 p. m.]

¹ 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980.

[Order 189 Under MPR 188]

WILLIAM E. SEITZ

APPROVAL OF MAXIMUM PRICE

Order No. 189 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of a maximum price for sales by William E. Seitz of two furlough bags.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) William E. Seitz, Fourth and Brown Streets, Philadelphia, Pennsylvania, is authorized to sell and deliver a 15" Furlough Bag, manufactured by it, at a price no higher than \$18.00 per dozen.

(b) William E. Seitz, Fourth and Brown Streets, Philadelphia, Pennsylvania, is authorized to sell and deliver a 18" Furlough Bag, manufactured by it, at a price no higher than \$21.00 per dozen.

(c) This Order No. 189 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 189 to Maximum Price Regulation No. 188 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3532; Filed, March 5, 1943;
3:24 p. m.]

[Order 190 Under MPR 188]

FOLDING BAG COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 190 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of a maximum price for sales by Folding Bag Company of its furlough bag.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Folding Bag Company, 1 Beekman Street, New York, New York, is authorized to sell and deliver a 16" Furlough Bag, manufactured by it, at a price no higher than \$18.00 per dozen.

(b) This Order No. 190 may be revoked or amended by the Price Administrator at any time.

² 7 F.R. 6872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980.

(c) This Order No. 190 to Maximum Price Regulation No. 188 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3533; Filed, March 5, 1943;
3:21 p. m.]

[Order 191 Under MPR 188]

THE LUCE CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 191 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum price for sale by The Luce Corporation of wooden bedsteads.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Luce Corporation, 50 Wealthy Street, S. W., Grand Rapids, Michigan, is authorized to sell and deliver the wood bedstead described in letter of December 11 to the Office of Price Administration, Washington, D. C. at a price no higher than \$9.44 F. O. B. factory. This price shall be subject to The Luce Corporation's customary discounts, allowances, and price differential in effect during March, 1942.

(b) This Order No. 191 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 191 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3534; Filed, March 5, 1943;
3:22 p. m.]

[Order 2 Under MPR 193]

MARYLAND SPRINGS DISTILLERY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 2 under Maximum Price Regulation No. 193—Domestic Distilled Spirits.

Authorization of maximum price for "My Own" brand of domestic whiskey manufactured by Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery.

Edwin M. Fleischmann etc. doing business as Maryland Springs Distillery have made application under § 1420.13 (c) of Maximum Price Regulation No. 193 for determination of maximum prices for their "My Own Private Blend of Straight Whiskey," a brand of domestic whiskey hereinafter called "My Own" brand.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) On and after March 6, 1943, Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, Havre De Grace, Maryland, may sell and deliver to any person and any person may buy and receive from Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing $\frac{1}{2}$ gallon of such whiskey, at prices not in excess of \$22.84, f. o. b. distillery, plus the amount of \$4.18, being the amount of the increased Federal excise tax of November 1, 1942.

(b) Any wholesaler and jobber may sell or deliver to any person and any person may buy and receive from such wholesaler or jobber "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing $\frac{1}{2}$ gallon of such whiskey, at prices not in excess of those computed by the wholesaler or jobber as follows:

(1) Add to the amount of \$22.84, freight charges, if any, at the rate applicable in March 1942 from the distillery or freight base point from which shipment is made to the receiving point of the particular wholesaler or jobber.

(2) Add to the resulting figure at (1) the amount of any tax incident to the sale, delivery, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof in effect in March, 1942: *Provided*, That the amount of such tax has been paid or shall have accrued and shall be payable by the seller to the proper taxing authorities or to any prior vendor.

(3) Multiply the resulting figure at (2) by 1.18, or, in those states or subdivisions thereof where the markup of vendors of distilled spirits is fixed by a statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the requirements of such statute or ordinance.

(4) Add to the resulting figure at (3) both the sum of \$4.18, being the amount of the increased Federal excise tax of November 1, 1942; and the amount of any new or increased tax incident to the sale, processing or use of domestic whiskey which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authorities or to any prior vendor. The resulting amount shall be the particular wholesaler's or

jobber's maximum price for "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing $\frac{1}{2}$ gallon of such whiskey.

(c) Any retailer may sell and deliver to any person and any person may buy and receive from such retailer "My Own" brand of domestic whiskey in bottles containing $\frac{1}{2}$ gallon each of such whiskey at prices no higher than those computed by the retailer as follows:

(1) Multiply the resulting figure at (b) (3), as computed by the particular wholesaler or jobber from whom the retailer purchases such commodity, by 1.40, or, in those states or subdivisions thereof where the markup of vendors of distilled spirits is fixed by a statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the requirements of such statute or ordinance.

(2) Add to the resulting figure at (1) the sum of \$4.18, being the amount of the increased Federal excise tax of November 1, 1942; and the amount of any new or increased tax incident to the sale, processing and use of the domestic whiskey to be priced hereunder which is imposed upon the seller by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authorities or to any prior vendor.

(3) Divide the resulting figure at (2) by the figure 12. The retailer shall adjust the figure thus arrived at to the next higher even cent if the fraction is $\frac{1}{2}$ cent or over, and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent.

(4) Multiply the resulting figure at (3) by the percentage rate of any State or local sales tax or similar tax imposed upon the retailer by any statute or ordinance of any State or subdivision thereof: *Provided*, That the amount thereof was separately stated and collected by the retailer in March, 1942, and the retailer now continues to state and collect the amount thereof separately. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March, 1942, and added to the amount determined at (3). The resulting amount shall be the particular retailer's maximum price for "My Own" brand of domestic whiskey in bottles containing $\frac{1}{2}$ gallon of such whiskey.

(d) On or before the first delivery of this commodity after the effective date hereof, Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, shall notify all purchasers who buy for sale at wholesale of their maximum price established under paragraph (a), and shall make a separate statement of the amount of the increased Federal excise tax of November 1, 1942. Such notification shall be accomplished by attaching a true and exact copy of this order to the invoice issued by the seller

in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser.

(e) On or before the first delivery of this commodity after the effective date hereof, all wholesalers and jobbers of this commodity shall notify retailer purchasers thereof of the wholesaler's or jobber's maximum price as established under paragraph (b); and they shall notify such retailers of the method for the computation of the retailer's maximum price as follows:

Our maximum price for "My Own" brand of domestic whiskey and the method whereby we have computed your maximum price for that brand is as follows:

1. Our maximum price per case of 12 fifths	\$-----
2. Subtract increased Federal excise tax of November 1, 1942	\$-----
3. Subtract increased State or local taxes after March 31, 1942	\$-----
4. Base for computation of retailer's maximum price	\$-----
5. Line 4 multiplied by 1.40 or statutory markup	\$-----
6. Add increased Federal excise tax	\$-----
7. Add increased State or local tax	\$-----
8. Total	\$-----
9. Divide line 8 by the figure 12	\$-----
10. Add State or local sales tax or similar tax per bottle (if separately stated and collected by retailer in March, 1942 and which retailer now separately states and collects)	\$-----
11. Retailer's maximum price per fifth	\$-----

The figure at line 11 is your maximum price, including all taxes, per $\frac{1}{2}$ gallon bottle for "My Own" brand of domestic whiskey in accordance with OPA Order No. 2 under Maximum Price Regulation No. 193. OPA requires you to keep this notice for examination.

No notification shall be required after the first notification unless the seller's maximum price shall be adjusted for a permitted tax increase pursuant to the provisions hereof.

(f) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 2 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3535; Filed, March 5, 1943; 3:20 p. m.]

[Order 7 Under RPS 20]

BELMONT SMELTING & REFINING WORKS,
INC.

ORDER GRANTING EXCEPTION

Order No. 7 Under Revised Price Schedule No. 20, as Amended—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended,

Executive Order No. 9250 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Belmont Smelting & Refining Works, Inc. of Brooklyn, New York, may pay and any person may charge Belmont Smelting & Refining Works, Inc. the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71(f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 7 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3523; Filed, March 5, 1943;
3:23 p. m.]

[Order 11 Under RPS 28]

UNITED DISTILLERS PRODUCTS CORP.
ADJUSTMENT OF MAXIMUM PRICE

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1335.159 (g) of Revised Price Schedule No. 28, *It is hereby ordered:*

(a) The price of \$1.60 reported by United Distillers Products Corporation, Amston, Connecticut, under § 1335.159 (g) for sales of ethyl alcohol produced by it during October, November, and December, 1942, is hereby disapproved.

(b) The maximum price for the sale of ethyl alcohol of 188 proof or higher whether undenatured or denatured, produced during October, November, and December, 1942 by United Distillers Products Corporation, Amston, Connecticut, and sold to the Defense Supplies Corporation shall be \$1.20 per wine gallon, f. o. b. plant.

(c) If United Distillers Products Corporation has made any deliveries of ethyl alcohol produced by it during October, November, and December, 1942 at prices higher than \$1.20 per wine gallon, the United Distillers Products Corporation shall make refund or adjustment for the excess of such prices over \$1.20.

(d) This Order No. 11 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3524; Filed, March 5, 1943;
3:22 p. m.]

[Order 71 Under RPS 64]

MASCOT STOVE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 71 under Revised Price Schedule No. 64¹—Domestic Cooking and Heating Stoves. Approval of maximum prices for Mascot Stove Company, Chattanooga, Tennessee.

On January 27, 1943, the Mascot Stove Company, Chattanooga, Tennessee completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for two new models of coal heaters, designated in the application as models 530 and 430.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. *It is hereby ordered:*

(a) Mascot Stove Company may sell, offer to sell, transfer or deliver its new model coal heaters at prices no higher than the following:

[F. o. b. factory to dealers]

Model 539	-----	\$55.00
Model 430	-----	\$31.00

subject to discounts, allowances, and terms no less favorable than those in effect under Revised Price Schedule No. 64 for the comparable models 1922 and 24, respectively.

(b) This Order No. 71 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 71 shall become effective on the 6th day of March, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3529; Filed March 5, 1943;
3:21 p. m.]

[Order 72 Under RPS 64]

KNOX STOVE WORKS

APPROVAL OF MAXIMUM PRICE

Order No. 72 under Revised Price Schedule No. 64²—Domestic Cooking and Heating Stoves.

On January 23, 1943, the Knox Stove Works, Knoxville, Tennessee, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval

¹ 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221.

² 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

of a maximum price for a new model coal and wood range, designated in the application as model K.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Knox Stove Company may sell, offer to sell, transfer or deliver its model K coal and wood range at a price no higher than \$44.00 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model G as established under Revised Price Schedule No. 64.

(b) This Order No. 72 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 72 shall become effective on the 6th day of March, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3530; Filed, March 5, 1943;
3:24 p. m.]

[Rev. General Order 32, Amendment 1]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE
PRICE ADMINISTRATOR IN REGION 8

General Order 32 is amended in the following respects:

1. Paragraph (c) is redesignated paragraph (d).

2. A new paragraph (c) is added to read as follows:

(c) *Delegation to certain Regional Administrators.* (1) The Regional Administrator for the VIIIth Region is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator, for the purpose of establishing specific maximum prices for sales of beef at retail pursuant to § 1499.73 (a) (79) of Supplementary Regulation No. 14.

This amendment shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3543; Filed, March 5, 1943;
4:58 p. m.]

[Rev. Order 44 Under MPR 120]

TREASURE COAL COMPANY

APPROVAL OF MAXIMUM PRICES

Revised Order No. 44 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-186.

Order No. 44 is revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and in the opinion accompanying the original Order No. 44, and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulations No. 120, *It is ordered:*

(a) Coals in Size Group 11 produced by Treasure Coal Company, Inc., Bartonville, Illinois, at its Treasure Mine (Mine Index No. 812) in District No. 10 may be sold and purchased for shipment by truck or wagon at prices not to exceed the following price per net ton f. o. b. the mine:

Size group:	Maximum price
11	\$2.50

(b) Within thirty (30) days from the effective date of this order, Treasure Coal Company, Inc. shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustment granted in this order does not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Revised Maximum Price Regulation No. 122.

(c) This Revised Order No. 44 may be revoked or amended by the price administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Revised Order No. 44 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3592; Filed, March 6, 1943; 2:29 p. m.]

[Order 166 Under MPR 120]

ATLAS COAL CORPORATION, ET AL.

ORDER GRANTING ADJUSTMENT

Order No. 166 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket Nos. 1120-149-P; 1120-154-P; 1120-155-P; 1120-156-P and 3120-225. Granting adjustment to Atlas Coal Corporation, Ben Hur Coal Company, Coalton Coal Company, Starr Coal, Inc., and Warden Pullen Coal Company.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by Atlas Coal Corporation at its Atlas Mine (Mine Index No. 8), Ben Hur Coal Company at its Blackstone Mine (Mine Index No. 16), Coalton Coal Company at its Coalton Mine (Mine Index No. 34), Starr Coal, Inc., at its Starr Mine (Mine Index No. 121), and Warden Pullen Coal Company at its Warden Mine (Mine Index No. 133), all of Henryetta, Oklahoma and operating the foregoing mines in District No. 15, may be sold and purchased for shipment by rail, at prices not to exceed the following prices per net ton, f. o. b. the mine:

Size group:	Maximum price
1	\$4.00
2	3.75
3	3.75
4	3.35
10	2.00

(b) Within thirty (30) days from the effective date of this order, each of the said petitioners, Atlas Coal Corporation, Ben Hur Coal Company, Coalton Coal Company, Starr Coal, Inc., and Warden Pullen Coal Company shall notify all persons purchasing its coal of the adjustment granted to it in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 166 may be revoked or amended by the administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 166 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3593; Filed, March 6, 1943; 2:29 p. m.]

[Order 167 Under MPR 120]

EDWARD TOMAJKO

ORDER GRANTING ADJUSTMENT

Order No. 167 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-326.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Edward Tomajko, Adamsburg, Pennsylvania, at his Adamsburg Mine, Mine Index No. 2, in District No. 2, may be sold and purchased for shipment by truck at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size group:	Maximum price
7	\$3.25
8	2.75

(b) Within thirty (30) days from the effective date of this order, the said Edward Tomajko shall notify all persons purchasing its coal of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 167 may be revoked or amended by the administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 167 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3594; Filed, March 6, 1943; 2:29 p. m.]

[Order 168 Under MPR 120]

MOSS & McCORMACK COAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 168 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-63-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Moss McCormack Coal Company, Inc., Birmingham, Alabama, at its Carbon Mine (Mine Index No. 76), District No. 1, may be sold and purchased for shipment by rail f. o. b. the mine at prices per net ton not to exceed the following:

Size group	1	12	17	18
Maximum price	\$3.55	\$3.65	\$3.55	\$3.45

(b) Coals produced by Moss & McCormack Coal Company, Inc., Birmingham, Alabama, at its Howard Mine (Mine Index No. 43), District No. 13, may be sold and purchased for shipment

by rail f. o. b. the mine at prices per net ton not to exceed the following:

	12, 14,			
Size group-----	1, 2	15, 16	17	18
Maximum price---	\$3.10	\$3.20	\$3.15	\$3.10

(c) Within thirty (30) days from the effective date of this order, the said Moss & McCormack Coal Company, Inc. shall notify all persons purchasing its coals of the adjustments granted in paragraphs (a) and (b) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Revised Maximum Price Regulation No. 122.

(d) This Order No. 168 may be revoked or amended by the Administrator at any time;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 168 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3595; Filed, March 6, 1943;
2:29 p. m.]

[Order 192 Under MPR 188]

BEH AND COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 192 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of maximum price for sale by Beh and Company of outdoor furniture.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Beh and Company, 1150 Broadway, New York, New York, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

No. 100 table and bench set-----	\$7.07
No. 101 table and bench set-----	8.18
No. 102 table and bench set-----	11.16
No. 103L table and bench set-----	16.50
No. 104H table and bench set-----	21.00
No. 110 terrace table-----	4.69
No. 111 terrace table-----	5.45
No. 112 octagon table-----	5.46
No. 113 octagon table-----	6.20
No. 114 terrace table-----	2.82
No. 115 umbrella-----	6.29
No. 116 umbrella table-----	7.77
No. 120 orchard bench-----	9.00
No. 121 curved tree bench-----	3.21
No. 122 curved tree bench-----	4.52
No. 123 curved tree bench-----	6.07
No. 125 chair with wheels-----	11.10
No. 127 chaise lounge-----	13.62
No. 129 garden refreshment bar-----	20.89

These prices shall be subject to Beh and Company's customary allowances, discounts and price differentials in effect during March 1942.

(b) This Order No. 192 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 192 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3596; Filed, March 6, 1943;
2:30 p. m.]

[Order 193 Under MPR 188]

FERUM COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 193 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of maximum price for sale by the Ferum Company of a wooden machinist tool box.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Ferum Company of 112-114 Charlton Street, New York, New York, is authorized to sell and deliver the wooden machinist tool box described in its letter dated December 19, 1942, to the Office of Price Administration, Washington, D. C., at a price no higher than \$10.75 f. o. b. New York, New York.

This price shall be subject to the Ferum Company's customary discounts, allowances, and price differentials in effect during March, 1942.

(b) This Order No. 193 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 193 shall become effective on the 8th day of March 1943.

Issued this 6th day of March 1943.

PRENTISS BROWN,
Administrator.

[F. R. Doc. 43-3597; Filed, March 6, 1943;
2:31 p. m.]

[Order 194 Under MPR 188¹]

NAYLON MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 194 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of a new indoor clothes dryer manufactured by Nylon Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed

¹ 7 F.R. 5872, 7967, 8943, 8948, 10155, 8 F.R. 537, 1815, 1980.

with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 194 sets maximum prices for sales of a new indoor clothes dryer designated as the Nylon Wall Rack, manufactured by Nylon Manufacturing Company, 33 North Mac Questen Parkway, Mount Vernon, New York.

(1) For sales by the manufacturer to retailers, the maximum price is \$.20 each, f.o.b. factory.

(2) For sales at retail, the maximum price is \$.35 each.

(b) Before delivery of a dryer to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states that the retail ceiling price of the dryer is \$.35. The tag or label shall not be detached until the dryer has been delivered to the consumer.

(c) At or before the time of the first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from it of the maximum price set by this order for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) This Order No. 194 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 194 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3598; Filed, March 6, 1943;
2:30 p. m.]

[Order 200 Under MPR 188]

A. G. VOGT

APPROVAL OF MAXIMUM PRICES

Order No. 200 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of a maximum price for sales by A. G. Vogt of a plastic knit-aid.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) A. G. Vogt, 1826 Wellesley Drive, Toledo, Ohio, is authorized to sell and deliver his plastic knit-aid at prices f. o. b. Toledo, Ohio, no higher than those set forth below:

	Each
To jobbers-----	\$0.25
To retailers-----	.33

(b) This Order No. 200 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 200 shall become effective on the 8th day of March 1943.
Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3599; Filed, March 6, 1943;
2:29 p. m.]

[Order 2 Under MPR 327]

PACIFIC MINERALS CO., LTD.

CERTAIN NONMETALLIC MINERALS

For the reasons set forth in the Opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) On and after January 25, 1943, the Pacific Minerals Co., Ltd., Richmond, California, may sell and deliver, and any person may buy and receive from the Pacific Minerals Co., Ltd., its blue black slate roofing granules at prices not in excess of \$13.00 a ton f. o. b. cars, Placerville, California.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3591; Filed, March 6, 1943;
2:31 p. m.]

[Order 1 Under MPR 186]

HARPER BOX AND LUMBER COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 1 under § 1377.110 (d) of Maximum Price Regulation No. 186—Western Wooden Agricultural Containers.

Pursuant to the provisions of § 1377.110 (d) of Maximum Price Regulation 186, Western Wooden Agricultural Containers, Harper Box and Lumber Co. has shown by letter that it is located within 5 miles of San Pedro, California, one of the designated cities, and that at least 66 percent of its total 1942 box production was industrial boxes, and that it is entitled to qualify as a metropolitan mill and, as such, make the special addition of \$5.00 per thousand feet to the basic price on local sales of shooks. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1377.110 (d) of Maximum Price Regulation 186, it is hereby ordered that the Harper Box and Lumber Co., Los Angeles, California, be permitted to make a special addition of not more than \$5.00 per M feet to the basic price on local sales of shooks.

This order shall be effective as of March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3589; Filed, March 6, 1943;
2:31 p. m.]

[Order 2 Under MPR 186]

PEIN BOX AND CRATE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 2 under § 1377.110 (d) of Maximum Price Regulation No. 186—Western Wooden Agricultural Containers. Special addition for local sales of shooks by metropolitan factories.

Pursuant to the provisions of § 1377.110 (d) of Maximum Price Regulation 186, Western Wooden Agricultural Containers, Pein Box and Crate Company, has shown by letter that it is located within 5 miles of Portland, Oregon, one of the designated cities, and that at least 66 percent of its total 1942 box production was industrial boxes, and that it is entitled to qualify as a metropolitan mill and, as such, make the special addition of \$5.00 per thousand feet to the basic price on local sales of shooks. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1377.10 (d) of Maximum Price Regulation 186: *It is hereby ordered*, That the Pein Box and Crate Company, Portland, Oregon, be permitted to make a special addition of not more than \$5.00 per M feet to the basic price on local sales of shooks.

This Order shall become effective as of March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3590; Filed, March 6, 1943;
2:31 p. m.]

[Order 186 Under MPR 188]

VEEP COMPANY, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by the Veep Company, Inc., of a new game.

Order No. 186 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*:

(a) The Veep Company, Inc., Hanover, New Hampshire, is authorized to sell and deliver its new game, designated in its application of January 9, 1943, as "DURATION", at prices, f. o. b. Hanover, New

Hampshire, no higher than those set forth below:

To jobbers.....	\$0.96 per unit.
To retailers.....	1.20 per unit.

(b) This Order No. 186 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 186 shall become effective on the 6th day of March 1943.
Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3621; Filed, March 5, 1943;
3:42 p. m.]

[Order 187 Under MPR 188]

STEVEN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 187 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Steven Manufacturing Company, of a new kaleidoscope.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*:

(a) Steven Manufacturing Company, 2408 Gothland, Saint Louis, Missouri, is authorized to sell and deliver its new kaleidoscope, described in its application of November 13, 1942, at prices, f. o. b. Saint Louis, Missouri, no higher than those set forth below:

To jobbers.....	\$2.85 per dozen.
To chain stores.....	3.24 per dozen.
To department stores.....	3.42 per dozen.
To other retailers.....	4.00 per dozen.

(b) This Order No. 187 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 187 shall become effective on the 6th day of March, 1943.
Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3622; Filed, March 5, 1943;
3:42 p. m.]

[Order 188 Under MPR 188]

FRIITS-SCHWARZWÄELDER, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Friits-Schwarzwaelder, Inc. of new toy gliders.

Order No. 188 Under § 1499.188 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is ordered:

(a) Fritts-Schwarzwaelder, Inc., 302 Pearl Street, New York, New York, is authorized to sell and deliver its new toy gliders, described in its application of January 20, 1943, at prices to retailers, f. o. b. New York, New York, no higher than those set forth below:

No. 200—72¢ per dozen boxes (each box containing 5 gliders).

No. 200—36¢ per dozen boxes (each box containing 2 gliders).

No. 201—72¢ per dozen boxes (each box containing 4 gliders).

No. 202—72¢ per dozen boxes (each box containing 1 glider).

(b) This Order No. 188 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 188 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3623; Filed, March 5, 1943;
3:42 p. m.]

[Rev. Gen. Order 32, Amendment 2]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

1. Paragraph (a) (1) is amended to read as follows:

(1) Applications for adjustment of maximum prices pursuant to § 1499.18a of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or pursuant to § 1499.18 (d) of the General Maximum Price Regulation or §§ 1393.8a or 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice) or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended, (Services) or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended, (Men's and Boy's Tailored Clothing) or with respect to applications for local adjustment of maximum prices pursuant to § 1439.253a of Temporary Maximum Price Regulation No. 28 and § 1439.304 of Temporary Maximum Price Regulation No. 29.

2. Paragraph (b) (1) is amended to read as follows:

(1) Applications for adjustment of maximum prices pursuant to § 1499.18a of the General Maximum Price Regulation, or any identical provision of any maximum price regulation or pursuant to § 1499.18 (d) of the General Maximum Price Regulation, or §§ 1393.8a or 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice) or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended, (Services) or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended, (Men's and

Boy's Tailored Clothing), or with respect to applications for local adjustment of maximum prices pursuant to § 1439.253a of Temporary Maximum Price Regulation No. 28 and § 1439.304 of Temporary Maximum Price Regulation No. 29.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3620; Filed, March 6, 1943;
5:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-675]

SUPERIOR WATER, LIGHT AND POWER CO.,
ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 3rd day of March, A. D. 1943.

In the matter of Superior Water, Light and Power Company, Northern Power Company, and American Power & Light Company.

Notice is hereby given that a joint declaration and application has been filed with this Commission under the Public Utility Holding Company Act of 1935 by American Power & Light Company ("American"), a registered holding company under the Act, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, and by Superior Water, Light and Power Company ("Superior"), and Northern Power Company ("Northern"), utility subsidiaries of American.

All interested persons are referred to said document, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The declaration and application proposes (a) the issuance by Superior to American of Common stock in exchange for the common stock of Northern, (b) the merger of Northern into Superior, and (c) the issuance of certain securities for cash to be applied by Superior in discharge of its presently outstanding debt and preferred stock.

Superior requests an order, pursuant to paragraph (a) (5) of Rule U-50, exempting the proposed issuance and sale of securities from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 and seeks to have its application for such exemption acted upon prior to its application for exemption of the proposed sale of the bonds and debentures from the requirements of section 6 (a) pursuant to section 6 (b) of the Act.

The merger of Northern into Superior and the financing of the merged company has, according to the filing, been

expressly authorized by the Public Service Commission of Wisconsin (the State in which Superior and Northern are organized and doing business) and would be finally consummated through the series of steps set forth below:

(1) American would contribute to the capital of Northern the principal of \$794,000 of open account indebtedness of Northern to American, which contribution would be credited by Northern to its capital surplus as of December 31, 1942;

(2) As of December 31, 1942, Northern would, by appropriations from surplus, increase its depreciation reserve to \$148,867.39, such amount being calculated by using the rates prescribed in an order of the Public Service Commission of Wisconsin certifying depreciation rates for Northern under a 4% compound-interest method;

(3) Northern would eliminate a deficit in earned surplus as of December 31, 1942, by a charge to the capital surplus to be created in the manner referred to in (1) above;

(4) American, as the owner of all of the issued and outstanding stock of Northern, consisting of 250 shares of \$100 par value common stock, except 3 shares held by directors, which 3 shares American has an option to purchase, would transfer or cause to be transferred to Superior all of the stock of Northern in exchange for 5,000 shares of the \$100 par value common stock of Superior;

(5) Northern would then be merged into Superior and the latter would issue and sell (a) \$2,500,000 principal amount of first mortgage bonds, 3½% Series due 1973, (b) \$1,000,000 principal amount of 4% Sinking Fund Debentures due 1958, such debentures to be retired over the life thereof through the operation of a sinking fund created for their retirement, and (c) 1,000 shares of \$100 par value common stock. Such bonds and debentures would be sold privately to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, at approximately the principal amount, and the 1,000 shares of common stock would be sold privately to American at par;

(6) Superior would apply the proceeds from the sale of such bonds, debentures and common stock to (a) the prepayment of the principal of, and accrued interest on, its presently outstanding \$1,600,000 principal amount of notes held by Guaranty Trust Company of New York, (b) the payment of the principal of, and accrued interest on, \$1,636,000 open account indebtedness of Superior to American and evidenced by an overdue note, (c) the payment of the redemption price of par and accrued dividends, plus a premium of \$5 a share, on the shares of Superior's presently outstanding \$100 par value 7% preferred stock held by the public, and (d) the payment to American of \$172,926.50 asserted to be the cost to American of 1,663 shares of Superior's 7% preferred stock now held by American, plus accrued dividends thereon.

It appearing to the Commission that it is appropriate in the public interest

and the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration and applications shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration and application under the applicable provisions of said Act and rules of the Commission thereunder be held on March 17th, 1943, at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration shall become effective and such application be granted. Notice is hereby given of said hearing to American Power & Light Company, Superior Water, Light and Power Company, Northern Power Company and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, Without limiting the scope of issues presented by said declaration and application, otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of the common stock, bonds and debentures are solely for the purpose of financing the business of Superior;

(2) Whether the proposed issuance and sale of common stock, bonds and debentures have been expressly authorized by the State Commission of the State in which Superior is organized and doing business;

(3) Whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in any order granting an exemption of the issue and sale by Superior of common stock, bonds and debentures from the provisions of section 6 (a) of the Act;

(4) Whether it is appropriate in the public interest or for the protection of investors or consumers that the proposed issue or sale of the bonds and debentures be exempted from the requirements of paragraphs (b) and (c) of Rule U-50; and, if so, whether such exemption should be granted prior to the entry of any orders with respect to such bonds and debentures under section 6 (b) or any other applicable section of the Act;

(5) Whether the proposed redemption of securities of Superior is in conformance with the applicable sections of the

Act and whether it is necessary to enter any orders pursuant to section 12 (c) or section 12 (f) of the Act with respect to such transactions;

(6) Whether the proposed capital contribution by American to Northern is in the public interest and the interest of investors and consumers;

(7) Whether the acquisition by Superior of the common stock of Northern and the acquisition by American of additional common stock of Superior will be in conformance with the applicable standards of section 10;

(8) The propriety of the proposed accounting treatment of the transactions on the books of Superior and American;

(9) Whether in any other respect the terms and conditions of the proposed transactions are detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the Act, or the rules, regulations, or orders thereunder; and the extent to which terms and conditions should be imposed to insure adequate protection of such interests in compliance with the applicable provisions of the Act.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 12, 1943, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the first issue to be considered at the hearing herein ordered is issue (4) relative to competitive bidding.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3536; Filed, March 5, 1943;
4:31 p. m.]

[File No. 70-673]

MAINE AND NEW BRUNSWICK ELECTRICAL
POWER CO., LTD., AND MAINE PUBLIC
SERVICE CO.

NOTICE REGARDING FILINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March 1943.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Maine Public Service Company, a registered holding company, and its subsidiary company, Maine and New Brunswick Electrical Power Company, Limited; and

Notice is further given that any interested person may, not later than March 19, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations or applications, as filed

or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Maine Public Service Company and Maine and New Brunswick Electrical Power Company, Limited, propose to reduce the interest rate from six per cent to three per cent upon all the outstanding notes of Maine and New Brunswick Electrical Power Company, Limited, in the aggregate principal amount of \$440,000. The aforesaid notes are owned by its parent, Maine Public Service Company, and pledged by the parent under an indenture securing its First Mortgage and Collateral Trust Bonds 3¾% Sinking Fund Series due 1972.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3537; Filed March 5, 1943;
4:31 p. m.]

[File No. 70-654]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE,
ET AL.

NOTICE OF FILING OF AMENDMENT AND ORDER RECONVENING HEARING AND DESIGNATING A NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of March 1943.

In the matter of Public Service Company of New Hampshire, The Twin State Gas and Electric Company, and New England Public Service Company.

Public Service Company of New Hampshire ("Public Service"), the Twin State Gas and Electric Company ("Twin State") and New England Public ("Twin State") and New England Public Service Company ("NepSCO"), the last named being a registered holding company, having on December 17, 1942, filed their joint applications and declarations pursuant to sections 6, 7, 8, 10 and 12 of the Act; and

The Commission by its notice of and order for hearing dated the 26th day of December 1942 (Holding Company Act Release No. 4012), having given notice of the filing of such applications and declarations and having ordered a hearing thereon; a hearing on said applications and declarations pursuant to said notice having been held on January 12th and 13th, 1943; and said hearing having been continued subject to the call of the trial examiner;

Notice is hereby given that Public Service, Twin State and NepSCO having filed, on March 2, 1943, an amendment

(designated as "Amendment No. 3") to said applications and declarations which changes the nature of the transactions originally proposed as follows:

Applicants and declarants strike from said applications and declarations all action proposed to be taken with respect to (1) the sale by Twin State and the acquisition by Public Service of Twin State's New Hampshire properties, (2) the sale by Nepsco and the acquisition by Public Service of certain securities as set out in the original notice of filing and order for hearing, (3) the issue and sale of common stock and unsecured notes, and all other action originally proposed by applicants and declarants except the issue and sale of bonds by Public Service and the redemption of its presently outstanding bonds as herein-after specified.

All interested persons are referred to said amendment which is on file in the office of this Commission for a statement of the transactions now proposed to be effected which are summarized as follows:

Public Service, in lieu of the issuance of \$22,000,000 of Bonds and \$2,500,000 of unsecured notes, now proposes by said amendment to issue and sell for cash \$20,500,000 principal amount of its First Mortgage Bonds, Series A, 3 1/4% to be dated January 1, 1943, and to be due January 1, 1973 (hereinafter called the "Bonds"), said Bonds to be issued under and secured by an indenture of mortgage to Old Colony Trust Company, as Trustee. It is further proposed that the Bonds will be sold under a firm commitment to underwriters or investors to be selected by competitive bidding under Rule U-50.

Public Service further proposes to apply the proceeds from the sale of the Bonds as follows: (a) to redeem and retire its presently outstanding Bonds in the aggregate principal amount of \$18,929,000; (b) to pay its then outstanding bank loans aggregating \$1,000,000; (c) to reimburse its treasury (in part) for the cost of making additions and extensions and (d) to provide funds in the nature of working capital; and

It appearing to the Commission that the hearing previously continued should be reconvened for the purpose of taking any additional testimony necessitated by such amendment; and

It appearing that the trial examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so.

It is hereby ordered, That the hearing in the above-entitled matter be reconvened on March 11, 1943 at 10 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing room clerk in room 318 will inform the parties as to the exact room in which said hearing will be held.

Notice is hereby given of said reconvened hearing to the above-named declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobinger an officer of the Commission,

be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as a trial examiner heretofore designated to preside at such hearing.

By the Commission.

[SEAL]

ORVAL L. DuBOIS
Secretary.

[F. R. Doc. 43-3538; Filed, March 5, 1943;
4:31 p. m.]

[File No. 1-2894]

CARSON HILL GOLD MINING CORPORATION
ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of March, A. D. 1943.

The Carson Hill Gold Mining Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its \$1 Par Capital Stock from listing and registration on the San Francisco Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3539; Filed, March 5, 1943;
4:31 p. m.]

[File No. 1-2923]

ANGLO AMERICAN MINING CORPORATION,
LTD.

ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1943.

The Anglo American Mining Corp., Ltd., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its \$1 Par Common Stock, and its Class "B" Stock from listing and registration on the San Francisco Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective

at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3540; Filed March 5, 1943;
4:31 p. m.]

[File No. 70-680]

PANHANDLE EASTERN PIPE LINE CO., ET AL.
NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of March 1943.

In the matter of Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company and Michigan Gas Transmission Corporation.

Notice is hereby given that a joint declaration or application, or both, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Illinois Natural Gas Company ("Illinois") and by Michigan Gas Transmission Corporation ("Michigan"), both wholly-owned subsidiaries of Panhandle Eastern Pipe Line Company, ("Panhandle Eastern") and by Panhandle Eastern, which is a subsidiary of Columbia Oil & Gasoline Corporation, which in turn is a subsidiary of Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Panhandle Eastern acquired all of the stock and debt of Michigan in February 1942 (under the order of the Commission dated January 21, 1942, File No. 70-387) and all of the stock of Illinois, upon liquidation of Panhandle Illinois Pipe Line Company, in June 1938.

Panhandle Eastern now proposes to take over all of the assets and liabilities of these two wholly owned subsidiaries, Illinois and Michigan, and to surrender to Illinois and Michigan, for cancellation, all of their respective stock and indebtedness, Illinois and Michigan will then be dissolved.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective and said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on March 22, 1943 at 11:00 a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to par-

participate in the proceedings, shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before March 18, 1943.

It is further ordered, That Charles E. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration or application, particular attention will be directed at the hearing, to the following matters and questions:

1. The amounts at which Panhandle Eastern proposes to record the net assets to be acquired from Michigan and Illinois.

2. The nature of the economies, estimated by Panhandle Eastern at \$100,000 annually, that will result from the proposed consolidation.

3. Whether the consideration to be paid, including all fees, commissions and other remuneration to whomsoever paid in connection with the proposed transactions, is fair and reasonable.

4. Whether the proposed acquisitions are detrimental to the carrying out of the provisions of Section 11 of the Act or to the proper functioning of the holding company system or otherwise detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the Act, or the Rules, regulations or orders thereunder.

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company and Michigan Gas Transmission Corporation, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3603; Filed, March 6, 1943;
2:55 p. m.]

[File No. 1-2888]

JOSLYN MFG. AND SUPPLY CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of March, A. D. 1943.

In the matter of Joslyn Mfg. and Supply Co., common stock, \$5 par value.

The Joslyn Mfg. and Supply Co., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having No. 47—13

made application to withdraw its Common Stock, \$5 Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3602; Filed, March 6, 1943;
2:55 p. m.]

[File No. 54-46]

LONE STAR GAS CORP., ET AL.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of March 1943.

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, Council Bluffs Gas Company, and Lone Star Gasoline Company.

A plan having been filed by Lone Star Gas Corporation and certain of its subsidiary companies under section 11 (e) and all other applicable sections of the Public Utility Holding Company Act of 1935 proposing a reorganization of the holding-company system of Lone Star Gas Corporation; and

Such plan having included, among other things, a declaration pursuant to section 11 (g) of said Act and Rule U-62 promulgated under said Act, regarding the solicitation of consents of stockholders to the plan; and

The Commission having approved said plan on October 22, 1942 (Holding Company Act Release No. 3865), subject to certain conditions and reservations; and having as a condition to such approval reserved jurisdiction under section 11 (g) of said Act to pass upon the material to be used by the applicant companies in soliciting consents of stockholders to the plan; and

Lone Star Gas Corporation having submitted the solicitation material to be used by it in soliciting consents of stockholders for its dissolution; and

The Commission deeming it appropriate in the public interest and in the interests of investors and consumers to permit the said declaration, as amended by the said solicitation material, to become effective;

It is hereby ordered, That the said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3601; Filed, March 6, 1943;
2:55 p. m.]

[File No. 812-312]

COMMONWEALTH SECURITIES, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 6th day of March, A. D. 1943.

An application having been filed by Commonwealth Securities, Incorporated, a registered management closed-end investment company, under and pursuant to section 23 (c) (3) and Rule N-23C-1 (c) adopted thereunder for an order permitting said company to purchase within one year after the date of such order a maximum of 6,500 shares of its outstanding preferred stock at prices approved by the management.

It is ordered, That a hearing on the aforesaid application be held on March 16, 1943 at 10 o'clock, e. w. t. in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Willis Monty, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to Commonwealth Securities, Incorporated, and to any other persons whose participation in such proceeding may be in the public interest and for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3626; Filed, March 8, 1943;
10:21 a. m.]

WAR PRODUCTION BOARD.

GILA RIVER, PINAL COUNTY, ARIZONA

AMENDMENT TO PARTIAL REVOCATION

Preference Rating P-19-n, Serial No. 38812. Builder: War Relocation Authority, Washington, D. C. Project: Gila River, Pinal County, Arizona.

The description of the project in partial revocation, issued on February 27, 1943, of the above serially numbered preference rating order, is hereby amended to read as follows:

All school units except as set forth in revised plans identified as War Relocation Authority, Gila River War Relocation Project, G-IV-546 and G-IV-547 dated January 29, 1943.

Issued this 5th day of March, 1943.

CURTIS E. CALDER,
Director, General for Operations.

[F. R. Doc. 43-3551; Filed, March 5, 1943;
4:46 p. m.]

